

City of Dayton
Economic Development Authority (EDA)
February 17, 2026
7:30 a.m.

Dayton City Hall Council Chambers, 12260 South Diamond Lake Rd, Dayton, MN 55327
EDA Commissioners may participate by interactive technology

Zoom link: <https://us02web.zoom.us/j/83069149854?pwd=b6gnkXWqjZro6YnPKQ8bU4l1qTaJpr.1#success>

7:30 1. **Call to Order**

<p>The EDA consists of seven members, including two City Councilmembers and five members of the Dayton business community or residents of the City of Dayton with business and/or economic development expertise, each with an interest in promoting the economic growth and development of the City of Dayton. The EDA shall have all the powers, duties, and responsibilities set forth in Minnesota Statutes §469.090 to §469.1081.</p>
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7:30 2. **Approval of the Agenda**

7:30 3. **Consent Agenda**

- A. Approval of Minutes, January 20, 2026
- B. EDA Treasurer's Report
- C. Summary of Non-Residential inquiries

7:35 4. **Open Forum**

Time is limited to 3 minutes. No EDA Action will be taken. However, direction can be given to staff for future meetings.

7:35 5. **Old Business**

- A. Damaged/Abandoned Utility Boxes
- B. Sidewalk Repairs in Old Village (no updates)
- C. Railroad Spur
- D. Lent Property
- E. Robinson Street Tax Forfeit property (no updates)
- F. Dayton Parkway Tax Forfeit property (no updates)
- G. Balsam Lane Signage (no updates)
- H. Sign Ordinance (no updates)

6. **New Business**

- 8:05 A. **CLOSED SESSION:** Pursuant to MN Statute 13D.05, Subd 3(c)(3), a closed session shall be conducted to develop or consider offers or counteroffers for the purchase or sale of real or personal property located at: 16241 Richardson Ave, Dayton, MN 55327, PID: 36-121-23-41-0014.

7. **Staff & Board Updates** (verbal)

- 8:10 A. Staff Updates
- 8:15 B. EDA Member Updates

The next EDA meeting will be on Tuesday, March 17, 2026, at 7:30 am

8:15 8. **Adjourn**

EDA MISSION STATEMENT: The Dayton EDA drives targeted growth through business attraction, retention, and strategic redevelopment. We prioritize projects that align with infrastructure, land use, and long-term fiscal health. Our mission is to build a resilient, competitive, and livable city.



**CITY OF DAYTON
ECONOMIC DEVELOPMENT STRATEGY PLAN (2022)
GOALS:**

1. Strengthen the Local Tax Base
 2. Encourage Public/Private Partnerships to construct public infrastructure to support quality development
 3. Foster Employment growth with strong wage opportunities through attraction of new businesses and expansion of existing businesses
 4. Ensure city processes are business friendly and do not create barriers to development
 5. Promote the growth of a “City Center” located [at] Territorial Road and Holly Lane Area
 6. Explore preservation, reinvestment, and redevelopment possibilities within the Historic Village
 7. Provide greater clarity around when and how to use City Assistance for projects
 8. Strengthen quality of life within Dayton through enhancement of recreational opportunities
 9. Use Economic Development resources to promote a full range of housing choices within Dayton
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**MINUTES OF THE JANUARY 20, 2026
CITY OF DAYTON, MINNESOTA
ECONOMIC DEVELOPMENT AUTHORITY MEETING**

Call to Order

Huttner called the meeting to order at 7:30 AM on January 20, 2026.

Roll Call

Present: Anderson, Salonek, Huttner, Luther (on zoom), Bernens, Fashant, and Weber

Absent:

Also, in attendance: Jon Sevald, Executive Director; Hayden Stensgard, Planner II

Approval of the Agenda

A. Swearing in Tim Huttner

Huttner was sworn in by Fashant as an Economic Development Authority Commissioner.

B. Elect EDA Officers

The board discussed continuing with the current officer arrangement.

No changes were made to the agenda.

Motion by Weber, seconded by Anderson to maintain the current officers with Huttner as President, Luther as Vice President, Bernens as Treasurer, and staff as Secretary and Assistant Treasurer. Motion carried 7-0.

Consent Agenda

A. Approval of Minutes, December 16, 2025

B. EDA Treasurer's Report

C. Summary of Non-Residential inquiries

Motion by Fashant, seconded by Weber to approve the consent agenda. Motion carried 7-0.

Open Forum

No participants for open forum.

Old Business

A. Damaged/Abandoned Utility Boxes

Sevald discussed the status of utility box repairs. One box has been fixed, and staff was directed to request updated utility maps from providers.

B. Sidewalk Repairs in Old Village

Sevald stated bids for sidewalk repairs will go out in spring.

C. Railroad Spur & financing

Sevald specified a meeting is scheduled for January 30th with Cemstone, King Solutions, and rail consultant TKDA. Huttner, Weber, and Luther will attend representing the EDA.

D. Lent Property

Sevald noted the city has received a verbal offer below the listing price. If a written offer is received, it will be discussed in closed session.

E. Robinson Street Tax Forfeit property

Sevald said the property is in the city's name and would need to be transferred to the EDA. Salonek added there is interest from a party wanting to build residential on the site. Stensgard stated current zoning is RO (residential), and any use beyond single-family would require rezoning. Additional discussion followed.

F. Dayton Parkway Tax Forfeit property

Sevald shared the check for the property purchase has been reissued to Hennepin County but not yet cashed. The board requested that the attorney follow up on the status to prevent delays in marketing the property.

G. Balsam Lane Signage

Sevald presented sign design options. The board previously selected a fake brick option but learned the city has an adopted sign standard. Digital signage options were discussed.

H. Sign Ordinance

Sevald stated that staff does not have updates for changes. The board discussed the process, previous ordinance, and suggested to continue at a later meeting.

Motion by Anderson, seconded by Luther to table the sign ordinance discussion until the next meeting, with staff directed to provide the previously developed EDA sign ordinance recommendations for comparison. Motion carried 7-0.

Sevald questioned the old business items and what should remain on the agenda. The board discussed different options, not wanting items to be missed.

New Business

A. Adessa/Carvana Site Plan Review

Stensgard presented Carvana purchased Adessa in 2024 and plans to build a 68,000 square foot vehicle inspection and reconditioning facility with a private car wash. The facility would employ up to 200 people. The Planning Commission recommended additional landscaping along the Highway 81 property line.

The board discussed upgrades to aesthetics, usage change, and employees.

Motion by Bernens, seconded by Fashant to support the site plan with the recommendation for additional landscaping along Highway 81. Motion carried 7-0.

B. EDA Strategic Plan Review

Sevald presented an update on the EDA's 2022 strategic plan, noting that Dayton added approximately \$75 million in tax value in 2025. New businesses included Forgent Power (197 employees), NFI Industries (41 employees), Kwik Trip (60-70 employees), and Turbine Pros (40-50 employees).

The board agreed to review and potentially update the strategic plan goals in 2026.

Staff & Board Updates

A. Staff Updates

Sevald provided several updates.

B. EDA Member Updates

No updates from members.

Adjourn

Motion by Weber, seconded by Anderson to adjourn. Motion carried 7-0.

The meeting adjourned at 8:56 AM.

PERIOD ENDING 01/31/2026

GL NUMBER	DESCRIPTION	2026 AMENDED BUDGET	BEG. BALANCE 01/01/2026	ACTIVITY FOR MONTH 01/31/2026	YEAR-TO-DATE THRU 01/31/26	END BALANCE 01/31/2026
Fund 225 - EDA						
Assets						
225-00000-10100	Cash		905,565.02	(775,127.70)	(775,127.70)	130,437.32
225-00000-10450	Interest Receivable		0.00	0.00	0.00	0.00
225-00000-10500	Taxes Receivable - Current		0.00	0.00	0.00	0.00
225-00000-11500	Accounts Receivable		250.00	0.00	0.00	250.00
225-00000-15000	Due from Other Funds		0.00	0.00	0.00	0.00
TOTAL ASSETS			905,815.02	(775,127.70)	(775,127.70)	130,687.32
Liabilities						
225-00000-20200	Accounts Payable		775,127.70	(775,127.70)	(775,127.70)	0.00
225-00000-22500	Due to Other Funds		300,000.00	0.00	0.00	300,000.00
TOTAL LIABILITIES			1,075,127.70	(775,127.70)	(775,127.70)	300,000.00
Fund Equity						
225-00000-25300	Unreserved Fund Balance		676,056.18	0.00	0.00	676,056.18
TOTAL FUND EQUITY			676,056.18	0.00	0.00	676,056.18
Revenues						
225-40100-31012	EDA Property Tax Levy	25,000.00		0.00	0.00	0.00
225-40400-33431	LOCAL AFFORDABLE HOUSING AID-STATE	0.00		0.00	0.00	0.00
225-40700-36210	Interest Earnings	0.00		0.00	0.00	0.00
225-40700-39000	Other Financing Sources	0.00		0.00	0.00	0.00
225-40700-39101	Sales of General Fixed Assets	0.00		0.00	0.00	0.00
225-40700-39200	Interfund Operating Transfers	0.00		0.00	0.00	0.00
TOTAL REVENUES			25,000.00	0.00	0.00	0.00
Expenditures						
225-41710-50210	Operating Supplies	0.00		0.00	0.00	0.00
225-41710-50300	Professional Svcs	0.00		0.00	0.00	0.00
225-41710-50308	Contract Services	0.00		0.00	0.00	0.00
225-41710-50370	Property Tax Payments	0.00		0.00	0.00	0.00
225-41710-50430	Miscellaneous	0.00		0.00	0.00	0.00
225-41710-50510	Land	0.00		0.00	0.00	0.00
TOTAL EXPENDITURES			0.00	0.00	0.00	0.00

January 2026 non-residential inquiries. Status is Anomous until an application is submitted, and becomes public.

DATE	CATEGORY	DESCRIPTION	FACILITY	JOBS	INVESTMENT	STATUS
1/1/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/6/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/6/2026	Industrial	Land	Spec	?	?	Anomous. Information provided.
1/7/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/8/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/9/2026	Commercial	Site Plan	Office	250-300	?	Graco follow up.
1/9/2026	Industrial	Land	Spec	?	?	Anomous. Inofrmation provided.
1/12/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/12/2026	Industrial	Other	Rail Spur	-	-	RR spur follow up
1/13/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/13/2026	Other	Other	EDA sign	-	-	EDA sign discussion
1/13/2026	Industrial	Other	Manufacturing	?	?	Alro Steel. Construction timeline discussion.
1/13/2026	Industrial	Concept Plan	Spec	?	?	Anomous. Information provided
1/14/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/14/2026	Commercial	Site Plan	Office	250-300	?	Graco follow up.
1/14/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Discussion
1/15/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/16/2026	Industrial	Other	Manufacturing	340	\$24,000,000	Forgent Power DEED loan reporting
1/16/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/16/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/16/2026	Other	Other				Hennepin Co. Elevate Hennepin
1/16/2026	Industrial	Land	Contractor Yard	?	?	Information provided
1/19/2026	Industrial	Other	Manufacturing	340	\$24,000,000	Forgent Power DEED loan reporting
1/20/2026	Industrial	Other	Manufacturing	340	\$24,000,000	Forgent Power DEED loan reporting
1/20/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/21/2026	Industrial	Land	Manufacturing	330	\$329,000,000	Anomous. DEED inquiry (land not available)
1/22/2026	Industrial	Land	Spec	?	?	2025 Moritorium questions
1/22/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Anomous. Greater MSP follow-up
1/23/2026	Industrial	Other	Manufacturing	340	\$24,000,000	Forgent Power DEED loan reporting
1/23/2026	Industrial	Concept Plan	Spec	?	?	Anomous. Information provided
1/25/2026	Commercial	Site Plan	Office	250-300	?	Graco follow up.
1/26/2026	Commercial	Site Plan	Office	250-300	?	Graco follow up.

January 2026 non-residential inquiries. Status is Anomous until an application is submitted, and becomes public.

1/26/2026	Commercial	Concept Plan	C-Store	?	?	Anomous. Pre-application meeting
1/26/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Greater MSP follow-up
1/26/2026	Commercial	Site Plan	Auto Repair	200		CC approved Site Plan Jan 27.
1/26/2026	Industrial	Concept Plan	Spec	?	?	Anomous. Pre-application meeting
1/26/2026	Industrial	Land	Warehouse	?	?	Anomous. Information provided
1/27/2026	Commercial	Concept Plan	C-Store	?	?	Anomous. Pre-application meeting
1/27/2026	Industrial	Land	Manufacturing	40	\$30,000,000	Greater MSP follow-up
1/28/2026	Commercial	Concept Plan	C-Store	?	?	Anomous. Pre-application meeting
1/28/2026	Industrial	Land	Warehouse	?	?	Anomous. Information provided
1/29/2026	Industrial	TIF	Spec	?	\$12,600,000	Dayton Interchange. Discussion
1/30/2026	Industrial	Other	Manufacturing	340	\$24,000,000	Forgent Power DEED loan reporting
1/30/2026	Commercial	Other	Other			Hennepin Co. Love Local grant
1/30/2026	Industrial	Other	Rail Spur	-	-	RR spur meeting

ITEM:

Damaged/Abandoned Utility Boxes

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

In 2024, the EDA expressed concerns about damaged and abandoned utility boxes in the right-of-way. In order to file a complaint with the Public Utilities Commission (PUC), the owner, location, and previous correspondence is needed. There are an estimated 2,000+ utility boxes and 52 eligible telecommunication providers in Dayton. It is unknown how many utility boxes are in disrepair.

An article was published in the winter 2025 Dayton Communicator.

During the May 20, 2025 EDA meeting, the EDA directed Staff to bring forward to the City Council for action. September 9, 2025, the City Council considered a proposal by Stantec to inventory objects within 84-miles of right-of-way (\$31,000). The inventory would identify damaged utility boxes to be inspected by staff, and issue corrective orders. The Council directed that enforcement remain complaint driven (no Stantec inventory), and to assist property owners with contacting their utility provider, if necessary.

In 2025, there were two known complaints. Staff contacted Lumen regarding two utility boxes on Balsam Lane. Boxes were replaced in October. During a City Council Open Forum, a resident complained that a sub-surface box lid had been left open. Staff contacted Century Link, who closed the lid.

During the January 20, 2026 EDA meeting, the EDA directed Staff to obtain utility locations from providers. In discussion with Stantec, the city can request maps from providers, but the city would then have to create a GIS database. Costs are unknown, but likely similar to the inventory (\$30,000?). The Database would identify utilities in ROW and their owners, but not their condition. **Since this is an EDA initiative, will the EDA fund this task?**

CRITICAL ISSUES:

This is an unbudgeted expense.

RELATIONSHIP TO COUNCIL GOALS:

Build and Maintain Quality Infrastructure.

ROLE OF EDA:

Provide direction if to pursue, noting the EDA has limited undesignated funds (about \$70,000), and the cost of creating a GIS database is unknown.

RECOMMENDATION:

Staff recommends this task be proposed in the 2027 budget.

ATTACHMENT(S):

Photos



13571 Balsam Ln, Oct 6, 2025



13571 Balsam Ln, Nov 12, 2025

ITEM:

Sidewalk Repairs in Old Village

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

In February 2025, the EDA voiced concerns about cracked sidewalks in the Old Village. ADA standards require 5' sidewalk widths, no more than ½" gap (crack), and ¼" change in level (one panel being higher than the other), along with curb ramps. Certain sections of sidewalks are non-conforming.

Public Works will grind down sidewalks that exceed ¼" elevation difference. Replacement of city sidewalks in the Village is in the 2031 CIP. Boulevard tree removal will be considered at that time. County sidewalks (CSAH 12) will be considered during road projects by Hennepin County. None are planned within the 2025-2029 Capital plan in the Old Village.

During the September 9, 2025 EDA meeting, the EDA directed staff to obtain bids for replacement. Applicable sidewalk panels will be replaced in spring 2026 (ran out of time for fall, 2025).

There are no updates since the November 18, 2025 EDA meeting.

CRITICAL ISSUES:

None

RELATIONSHIP TO COUNCIL GOALS:

Build and Maintain Quality Infrastructure

- *Address public facilities to meet city's growth and needs*
- *Maintain quality local street system*

ROLE OF EDA:

No action required.

RECOMMENDATION:

None

ATTACHMENT(S):

Photos

ECONOMIC DEVELOPMENT AUTHORITY MEETING



18640 Robinson Street (April 10, 2025)



18380 Columbus Street (April 10, 2025)

ITEM:

Discussion – Railroad Spur

APPLICANT/PRESENTERS:

Jon Sevald, Executive Director

PREPARED BY:

Hayden Stensgard, Senior Planner

BACKGROUND/OVERVIEW:

In September 2024, the EDA expressed interest in having a railroad spur in Dayton to attract manufacturers. In 2024, Staff discussed with BNSF who suggested creating a [BNSF certified site](#). Typically includes 50-100+ acres. [Becker](#) (67-acres) is the only certified site in Minnesota. BNSF stated that users are typically heavy industrial.

In August 2025, Chair Huttner and Staff met with Cemstone. Cemstone has a planned railroad spur, but no timeline as to when it would be installed (not in the foreseeable future).

In September 2025, Staff discussed with MnDOT if there are any similar projects (public owned, private operated). The Des Moines MPO owns a 40-acre Transload Facility (truck to rail). Total project cost was \$25 million (\$11.2 million received in grants). According to its feasibility study, the facility estimated 7 daily train and 42 daily truck loads by the 3rd year, and an estimated annual revenue of \$250,000 - \$300,000.¹ MnDOT suggested that if to move forward, the EDA needs commitments of number of train loads from users to justify service by BNSF. A feasibility study is needed. MnDOT administers the Minnesota Rail Service Improvement Grant program. In 2024, 19 applicants applied. Eleven received funding from \$246,000 - \$1.9 million. A feasibility study is required to apply for the grant (\$10,000 - \$30,000).

In September/October 2025, BNSF provided Staff with a list of questions for customers, a list of 12 transload facilities in Minnesota, and a list of engineering firms. The nearest transload facilities are in Fridley (Murphy Warehouse Company – 15 acres, and Commercial Transload of Minnesota – 4 acres). TKDA estimates a Transload facility would cost \$8-\$20 million.

In fall 2025, Staff reached out to Dayton freight companies and manufacturers. MTL, Graco, Adessa, States Manufacturing, and Maas HVAC do not need rail.

In October 2025, BNSF's list of questions was shared with EDA members to follow up with potential rail customers.

In October 2025, Staff discussed with a building materials supplier in Rogers who has a rail spur and a crane, if they'd share their facility with Dayton businesses (no).

¹ [Des Moines Rail Transload Feasibility Study](#), June 28, 2014. Page 19, page 26.

ECONOMIC DEVELOPMENT AUTHORITY MEETING

In December 2025, President Huttner shared BNSF’s list of questions with area city officials. Staff forwarded the same to City Council, EDA, Planning Commission, and Park Commission members. Staff received responses from Rogers (none), Maple Grove (suggested I-94 Chamber of Commerce), and St. Michael(?) (has competing facility).

In January 2026, EDA members Huttner, Luther, and Weber (and Staff) met with TKDA, Cemstone and King Solutions to discuss the spur. TKDA will provide a proposal for a Feasibility Study to be used for a MnDOT grant. King Solutions confirmed they cannot participate in cost-share.

CRITICAL ISSUES:

Customers At this time, only Cemstone has committed to rail.

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> Review housing type and lot size by %’s 	<ul style="list-style-type: none"> Proportionate housing types available. 	<ul style="list-style-type: none"> A-3 District Begin work on Comp Plan Develop Rental Housing Ordinance Seek out businesses more often.
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided Number of rentals available and where they are located. 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals. 	
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> Net difference of businesses movement including their employment. 	<ul style="list-style-type: none"> Maintain a positive difference in business movement. 	<ul style="list-style-type: none"> Work with EDA to find niche businesses that are not in surrounding communities Complete Large Area Plan

ROLE OF THE EDA:

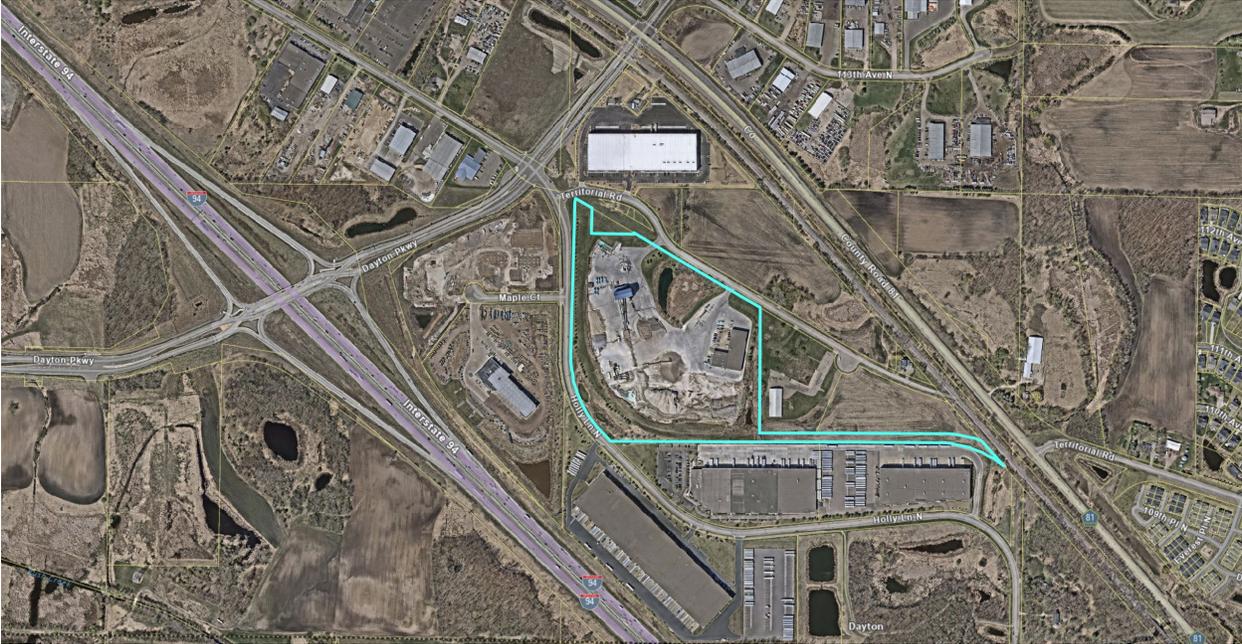
None at this time

STAFF RECOMMENDATION:

None at this time

ATTACHMENT(S):

Aerial Photo



ITEM:

Lent Property Concept Plan

APPLICANT/PRESENTER:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

POLICY DECISION / ACTION TO BE CONSIDERED:

N/A

BACKGROUND:

In January 2025 the EDA purchased the 1.2 acre Lent properties, located at the southeast corner of Robinson Street and Richardson Avenue in the Old Village. Stantec prepared four concept plans for redevelopment. The EDA chose option #4 consisting of 2,700sf restaurant (85 seats), 5,000sf retail/office with four apartment units above, and a 55-stall parking lot which doubles as floodplain storage.

In October 2025, a construction cost estimator estimated a total construction cost of \$7.4 million (\$450 - \$480 p/sq ft).

In October 2025, the EDA agreed to list the properties for sale for \$259,000. IAG listed the properties in November 2025.

IAG and Staff have received calls from several interested investors and developers. In December 2025, IAG received one verbal offer.

In February 2026, IAG presented the property at a national real estate conference. The project received interest from investors because of its river frontage, but concerns regarding flood plain mitigation.

CRITICAL ISSUES:

None.

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> Review housing type and lot size by %'s 	<ul style="list-style-type: none"> Proportionate housing types available. 	<ul style="list-style-type: none"> A-3 District Begin work on Comp Plan
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided Number of rentals available and where they are located. 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals. 	<ul style="list-style-type: none"> Develop Rental Housing Ordinance

EDA REGULAR MEETING

	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none">• Net difference of businesses movement including their employment.	<ul style="list-style-type: none">• Maintain a positive difference in business movement.	<ul style="list-style-type: none">• Seek out businesses more often.• Work with EDA to find niche businesses that are not in surrounding communities• Complete Large Area Plan
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BUDGET IMPACT:

N/A

RECOMMENDATION:

Staff will schedule a Closed Session if & when a formal written offer is submitted. Any offer should be accompanied with a development proposal, if different than Concept #4.

ATTACHMENT(S):

Listing brochure



GATEWAY TO CITY OF DAYTON HISTORIC VILLAGE

Commercial Development Opportunity

*Example concept plan and renderings.
Open to different site plans.



LAND FOR SALE

16281 Richardson Ave
Dayton, MN
55327



Zach Synstegaard, JD
Advisor
612.860.2547
zsynstegaard@iagcommercial.com



Jeff LaFavre, CCIM, MCR
President
612.868.7429
jlafavre@iagcommercial.com

PROPERTY OVERVIEW

Positioned at the entrance to Dayton’s charming Historic Village, this mixed-use site offers a rare opportunity to shape the gateway to the community’s future. Overlooking the scenic Crow River, the property combines historic character with exceptional development potential.

Zoned for mixed-use, the site can accommodate a variety of end-users—whether a signature restaurant destination with waterfront views, boutique retail, professional offices, or thoughtfully designed residential units above street-level activity. Its location along the Crow River provides natural beauty making it ideal for a project that blends lifestyle, commerce, and community connection.

With its prime visibility and unique setting, this site is perfectly positioned to become a defining landmark within the heart of Dayton.

PROPERTY FEATURES

- High visibility & accessibility
- Scenic Crow River frontage
- Mixed-Use Zoning
- Historic character and modern development potential

Address:	16281 Richardson Ave Dayton, MN 55327
Acreage:	1.19 acres
List Price:	\$259,000
Zoning:	GMU-3 Historic Village
County:	Hennepin



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ITEM:

Robinson Street Tax Forfeit property

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

In September 2025, Hennepin County conveyed a tax forfeit property (PID: 31-121-22-31-0056) to the city. On November 13, 2025, the City Council conveyed it to the EDA.¹ After the conveyance is recorded, the EDA will list the property for sale.

The 40' X 150' property is zoned R-O Old Village Residential and guided Mixed Use in the 2040 Comprehensive Plan.

In November 2025, the EDA held a Closed Session, agreeing on a sale price. IAG will list the property for sale after it is conveyed by the City to the EDA.

There are no updates since November 2025.

CRITICAL ISSUES:

None.

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Item
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> Review housing type and lot size by %'s. 	<ul style="list-style-type: none"> Proportionate housing types available. 	A) A-3 District B) Begin work on Comp Plan C) Develop Rental Housing Ordinance D) Seek out businesses more often E) Work with EDA to find niche businesses that are not in surrounding communities F) Complete Large Area Plan
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided. Number of rentals available and where they are located. 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals. 	
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> Net difference of businesses movement including their employment 	<ul style="list-style-type: none"> Maintain a positive difference in business movement 	

ROLE OF THE EDA:

None.

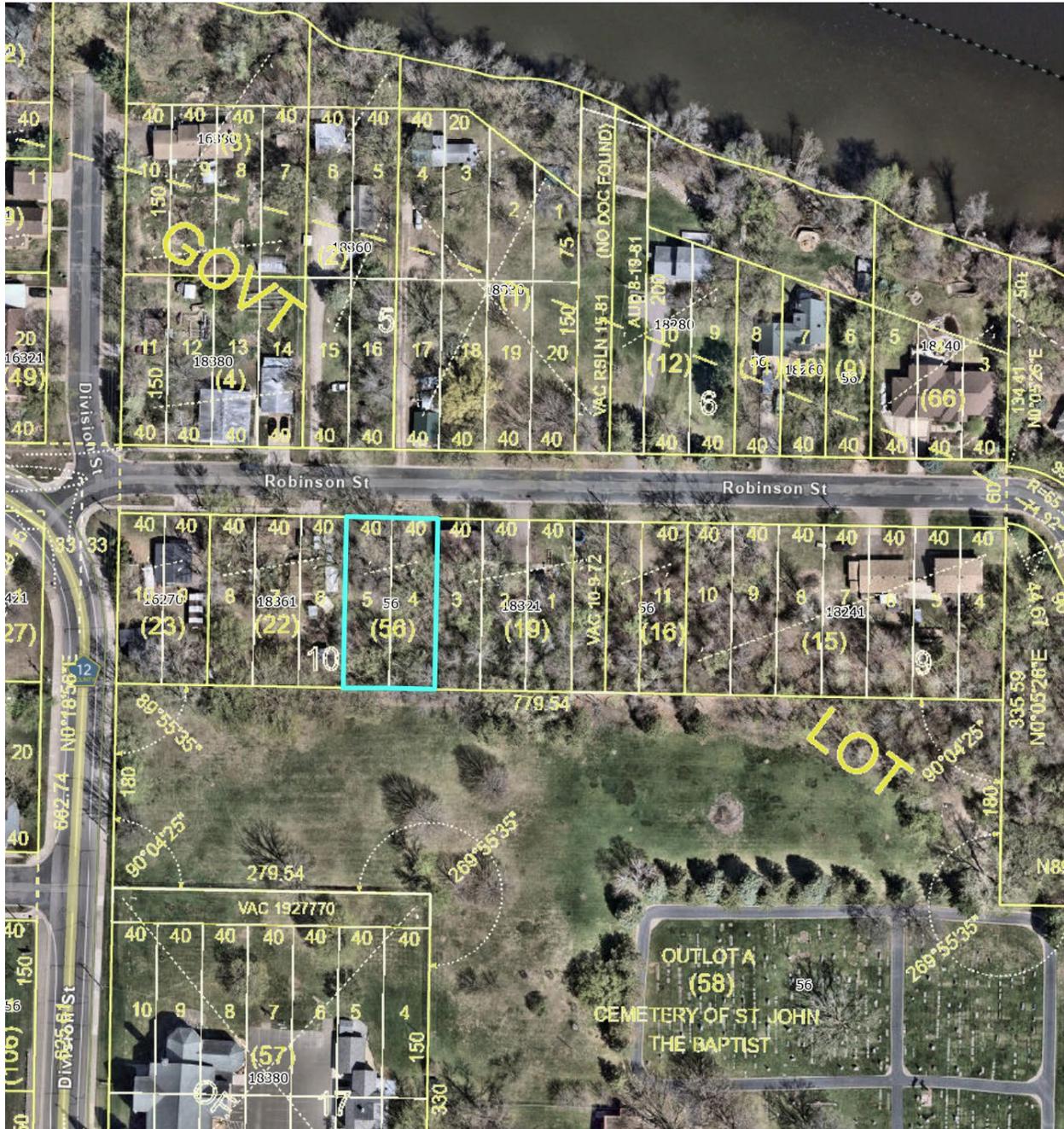
¹ Resolution 82-2025

RECOMMENDATION:

N/A

ATTACHMENT(S):

Aerial map



ITEM:

Dayton Parkway Tax Forfeit property

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

On November 13, 2025, the City Council approved an interagency loan to the EDA for \$300,000 + 4% interest toward purchasing tax forfeit property PID: 31-120-22-13-0010 commonly referred to as the “Triangle Property”.¹

After the EDA purchases the Triangle property from Hennepin County, the intent is for the EDA to plat the property as an outlot (6.5 acres) and list the property for sale. The EDA held a Closed Session in November 2025, agreeing to solicit offers (\$) with development proposals.

During the December 2025 EDA meeting, the EDA recommended (summarized) that the City Council increase the 2027 EDA Levy an amount equal to the property tax generated by the project’s development.

Conveyance from Hennepin County to the EDA is pending County Attorney contract review.

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	Review housing type and lot size by %’s	<ul style="list-style-type: none"> Proportionate housing types available. 	A) A-3 District. B) Begin work on Comp Plan
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided. Number of rental available and where they are located. 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals. 	C) Develop Rental Housing Ordinance D) Seek out businesses more often.
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> Net difference of businesses movement including their employment. 	<ul style="list-style-type: none"> Maintain a positive difference in business movement. 	E) Work with EDA to find niche businesses that are not in surrounding communities. F) Complete Large Area Plan.

ROLE OF HE EDA:

None.

¹ Resolution 82-2025

RECOMMENDATION:

None.

ATTACHMENT(S):

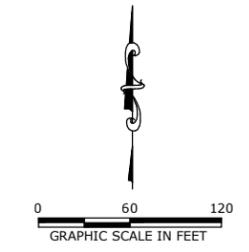
DRAFT plat (Dayton Difference Addition)

DAYTON DIFFERENCE ADDITION

C.R. DOC. NO. _____



- DENOTES 1/2 INCH IRON PIPE MONUMENT, FOUND RLS 43133
- DENOTES 1/2 INCH BY 14 INCH IRON PIPE MONUMENT SET WITH PLASTIC PLUG INSCRIBED WITH "STANTEC 43133"
- ★ DENOTES PK NAIL SET



BEARING ORIENTATION
 BASED ON THE EAST LINE OF THE SOUTHEAST OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 120, RANGE 22, WHICH HAS AN ASSUMED BEARING OF NORTH 00 DEGREES 43 MINUTES 41 SECONDS EAST.

COUNTY AUDITOR, Hennepin County, Minnesota

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat, dated this ____ day of _____, 20____.

Daniel Rogan, County Auditor by _____ Deputy

SURVEY DIVISION, Hennepin County, Minnesota.

Pursuant to MN. STAT. Sec. 383B.565 (1969), this plat has been approved this ____ day of _____, 20____.

Chris F. Mavis, County Surveyor by _____

COUNTY RECORDER, Hennepin County, Minnesota.

I hereby certify that the within plat of DAYTON DIFFERENCE ADDITION was recorded in this office his ____ day of _____, 20____, at ____ o'clock ____ M.

Amber Bougie, County Recorder by _____ Deputy

KNOW ALL PERSONS BY THESE PRESENTS: That the City of Dayton, Minnesota, a Minnesota municipal corporation, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of the Southwest Quarter of the Northeast Quarter of Section 31, Township 120, Range 22, Hennepin County, Minnesota described as follows: Beginning at the Southeast corner of said Southwest Quarter of the Northeast Quarter; thence South 88 degrees 22 minutes 00 seconds West, assumed bearing, along the South line thereof 9.37 feet to the centerline of Territorial Road; thence North 61 degrees 05 minutes 00 seconds West along said centerline 715.06 feet; thence North 23 degrees 14 minutes 56 seconds East 837.98 feet to the Southwesterly right of way line of Burlington Northern Railroad; thence Southeasterly along said Southwesterly line to the east line of said Southwest Quarter of the Northeast Quarter; thence South 1 degree 08 minutes 25 seconds East along said east line to the point of beginning, according to the United States Government Survey thereof and situate in Hennepin County, Minnesota.

AND
 Lot 1, Block 4, Dayton Industrial Park, a plat on file and of record in the office of the County Recorder of Hennepin County, Minnesota. Being that part of Lot 1 described as commencing at the Southwest corner of said Lot 1, a distance of 379.10 feet to the actual point of beginning; thence Northeasterly 44.34 feet along a non-tangential curve concave to the Southeast having a radius of 345.50 feet and a central angle of 07 degrees 21 minutes 09 seconds, the chord of said curve bears North 34 degrees 11 minutes 48 seconds East; thence North 37 degrees 52 minutes 23 seconds East, tangent to said curve, a distance of 138.70 feet; thence North 35 degrees 49 minutes 19 seconds East a distance of 202.57 feet; thence North 37 degrees 52 minutes 23 seconds East a distance of 51.84 feet to the Northeasterly line of said Lot 1; thence Northwesterly along said Northeasterly line a distance of 310.26 feet to the North corner of said Lot 1; thence South 00 degrees 43 minutes 41 seconds West along the West line of said Lot 1 a distance of 529.91 feet to the point of beginning, Hennepin County, Minnesota.

Have caused the same to be surveyed and platted as DAYTON DIFFERENCE ADDITION and do hereby dedicate to the public for public use the public ways and drainage and utility easements as created by this plat

In witness whereof said The City of Dayton, Minnesota, a Minnesota municipal corporation, fee owner, has caused these presents to be signed by its proper officer this ____ day of _____, 20____.

City of Dayton, Minnesota

 Mayor
 STATE OF MINNESOTA
 COUNTY OF _____
 This instrument was acknowledged before me this ____ day of _____, 20____, by XXXXXXXX, mayor of the City of Dayton, a Minnesota municipal corporation, on behalf of the corporation.

 (Notary Signature)

 (Notary Printed Name)
 Notary Public, _____ County, State of Minnesota
 My Commission Expires _____

SURVEYOR'S CERTIFICATE
 I, Daniel J. Roeber, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

 Daniel J. Roeber, Licensed Land Surveyor
 Minnesota License Number 43133

STATE OF MINNESOTA
 COUNTY OF _____
 This instrument was acknowledged before me on this ____ day of _____, 20____ by Daniel J. Roeber.

 (Notary Signature)

 (Notary Printed Name)
 Notary Public, _____ County, State of Minnesota
 My Commission Expires _____

CITY COUNCIL, CITY OF DAYTON, MINNESOTA
 This plat of DAYTON DIFFERENCE ADDITION was approved and accepted by the City Council of the City of Dayton, Minnesota at a regular meeting thereof held this ____ day of _____, 20____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL, CITY OF DAYTON, MINNESOTA
 By _____ Mayor
 By _____ Clerk



ITEM:

Balsam Lane Signage

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

During the October 21, 2025 EDA meeting, the EDA discussed the need for a monument sign at the north and south end of Balsam Lane, with advertising for Balsam businesses. Staff spoke with property owners on the north and south end if they would provide the city with an easement for a city sign. Raintree Plaza would consider it. This would be a city gateway sign, replacing the existing Raintree sign.

Staff reached out to five sign vendors for price quotes based on Sign Code requirements and received one response. Signart submitted a quote, \$90,270 - \$98,401 depending if using masonry vs faux masonry. The dynamic display has about a 12-year lifespan.

During the November 18, 2025 EDA meeting, the EDA asked for two options, (1) following the sign code, and (2) not following the sign code (e.g. big enough to include static advertising for 30 businesses + dynamic display). Signart responded that adding 30 business plates would add 22' onto the sign height (38' total sign height). The sign would have too much information for drivers to process.

During the December 16, 2025 EDA meeting, the EDA preferred the faux brick option, 16' sign height, and suggested charging a fee to Balsam businesses to advertise on the sign. Staff will contact Balsam businesses to gauge what an acceptable fee is. Assuming the sign costs \$100,000 (\$8,300 p/year, 12-years), a fee would be \$300 per year if 30 businesses participated.

There are no updates since the January 20, 2026 EDA meeting.

CRITICAL ISSUES:

Budget This is an unbudgeted expense.

Consistency In 2021, the city adopted standards for city signage. The EDA sign should follow the design standard.

RELATIONSHIP TO COUNCIL GOALS:

N/A

ROLE OF ECONOMIC DEVELOPMENT AUTHORITY:

None.

ECONOMIC DEVELOPMENT AUTHORITY MEETING

RECOMMENDATION:

Staff recommends continuing discussion, and budgeting for 2027 or later.

ATTACHMENT(S):

Raintree Plaza sign

Signart, Option 1 (faux stone base)



Raintree Plaza sign, (Oct 14, 2025)



Raintree Plaza sign (Nov 10, 2025).

New Monument Sign

**A Sign Specifications:
Monument Sign - Option 1 (Faux Stone Base)**

Internally Illuminated (LED) Double Sided Monument Sign with Routed Aluminum Face and Push Thru Letters and (Full Color) Electronic Message Center

Fabricated Aluminum Frame

**1 Static Top Header:
Retainers and Returns:**
Aluminum, painted (beige)

Faces:
Routed Aluminum Faces, painted (beige) with Translucent Acrylic Push Thru 1/2" Letters and Applied Vinyl Overlay (dual-color dark blue, light blue, green)

2'-8" H. x 6'-0" W. Monument Static Sign: 16 sq. ft.

2 Dynamic Electronic Message Center:
Full Color Display

8'-0" H. x 6'-0" W. Monument EMC Sign: 48 sq. ft.

3 Base:
Aluminum Clad Base, with Applied Faux Stone Tiles (by others) and Decorative Aluminum Top Cap, painted (tan)

Quantity: (1 Sign)

Sign Code:
Maximum Static Sign Area: 16 sq. ft.

Maximum Electronic Message Sign Area: 48 sq. ft.

Maximum Sign Height: 16'-0" H.

Proposed Sign Height: 16'-0" H.

Proposed Sign:
2'-8" H. x 6'-0" W. Monument Static Sign: 16 sq. ft.
8'-0" H. x 6'-0" W. Monument Dynamic EMC Sign: 48 sq. ft.

Total Sign Area: 64 sq. ft.

SCALE: 3/8" = 1'-0"

Colors:

-  Dark Blue
-  Light Blue
-  Green
-  Beige

CUSTOMER INFORMATION

Customer: **City of Dayton, MN**

Address: **Dayton, MN**

Sales: **Jesse Yungner**

DRAWING INFORMATION

File Name: **City of Dayton, MN
Monument Sign
REV B 11-26-25**

Date: **REV A 11-24-25**

Revisions: **REV B 11-26-25**

Scale: **3/8" = 1'-0" at 11" x 17"**

Page: **1 of 2**

Designer: **Jeff Weispfenning**

Customer/
LL Approval:



SignArt Company

Eau Claire, WI
715-834-5127
800-235-5178

St. Paul, MN
651-688-0563
800-699-0563

www.signartusa.com



This drawing was created to assist you in visualizing our proposal. It is the property of Sign Art Company and may not be used or reproduced by others.

A Proposed Sign:
2'-8" H. x 6'-0" W. Monument Static Sign: 16 sq. ft.
8'-0" H. x 6'-0" W. Monument EMC Sign: 48 sq. ft.

Total Sign Area: 64 sq. ft.



ITEM:

Sign Ordinance

APPLICANT/PRESENTERS:

Hayden Stensgard, Senior Planner

PREPARED BY:

Jon Sevald, Executive Director

BACKGROUND/OVERVIEW:

President Huttner has inquired if the EDA is interested in recommending that the sign code be amended. The EDA Tabled this item at its December 16, 2025 and January 20, 2026 meetings to allow more time for EDA members to review.

The Sign Code was last amended in February 2025¹ related to:

- Monument signs; increased maximum height from 8' to 16'.
- Permits temporary off-premise signs.
- Removes explicit prohibition of “*any sign within the public right of way.*”

At the January 20, 2026 meeting, the EDA requested previous meeting materials. Attached is the Staff Report from 2021.

CRITICAL ISSUES:

None.

RELATIONSHIP TO COUNCIL GOALS:

None.

ROLE OF ECONOMIC DEVELOPMENT AUTHORITY:

Provide direction of what section of the Sign Ordinance is of concern.

RECOMMENDATION:

None.

ATTACHMENT(S):

City Code 1001.20, Signs
Aug 9, 2021 Staff Report

¹ Ordinance 2025-05; *An Ordinance Amending Dayton City Code Relating to Section 1001.20 Signs*

1001.20 SIGNS.

Subd. 1 Findings, Purpose and Effect

(1) *Findings.*

- a. Exterior signs have a substantial impact on the character and quality of the environment.
- b. Signs provide an important medium through which individuals may convey a variety of messages.
- c. Signs can create traffic hazards and aesthetic concerns, thereby threatening the public health, safety and welfare.
- d. The City's zoning regulations have, since their inception, included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.

(2) *Purpose and intent.* It is not the purpose or intent of this Section to regulate the message displayed on any sign; nor is it the purpose or intent of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Section is to:

- a. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
- b. Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
- c. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
- d. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

(3) *Effect.* A sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of this section. The effect of this Section, as more specifically set forth herein, is to:

- a. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Section.
- b. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Section.
- c. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- d. Ensure that signage is distinct and minimal to reduce visual clutter.
- e. Provide for the administration and enforcement of the provisions of this Section.

Subd. 2 Substitution

The owner of any sign which is otherwise allowed by this Section may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

Subd. 3 Severability

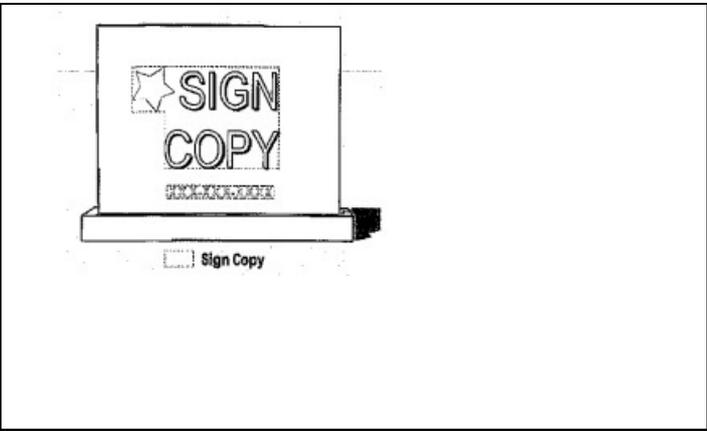
If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Sign Ordinance. The City Council hereby declares that it would have adopted the Sign Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Subd. 4 Measurements

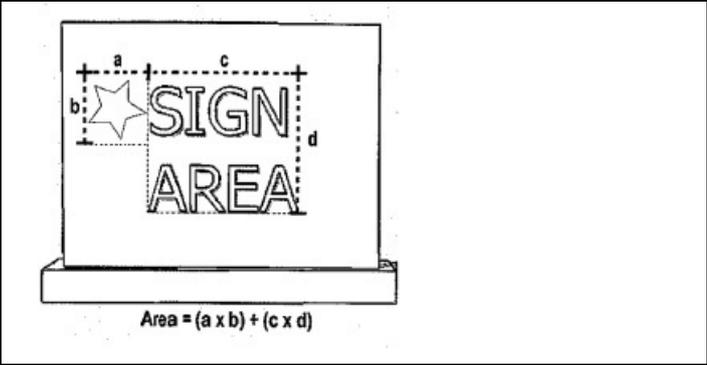
The following criteria shall be used in measuring a sign or building facade in order to determine compliance with this Subsection:

Table 1 - Sign Measurements
Table 1 - Sign Measurements

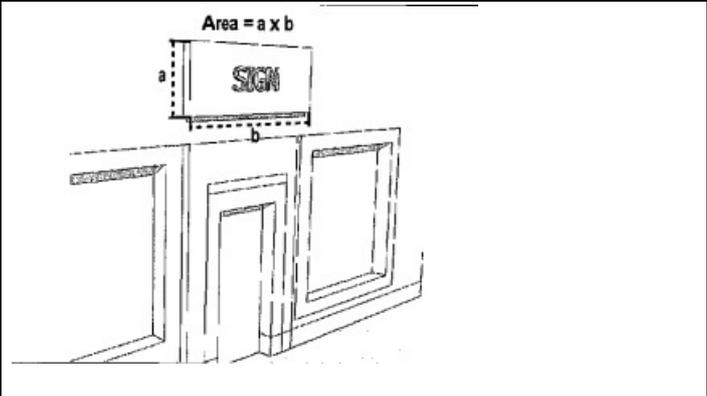
Sign copy is defined as the physical sign message including any words, letters, numbers, pictures and symbols.



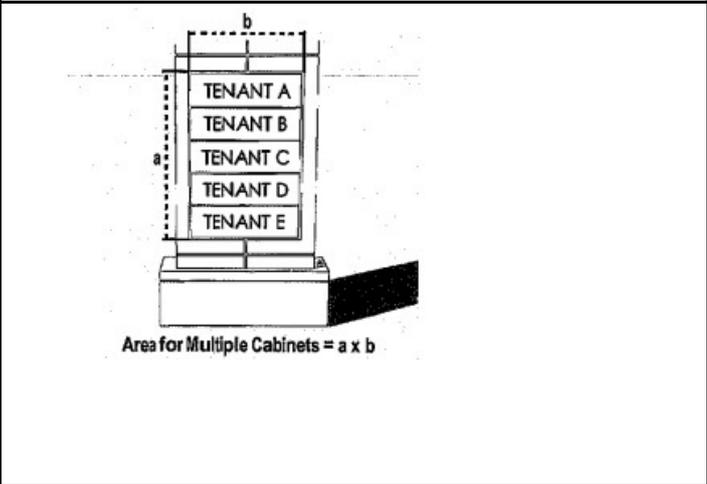
Sign area is the area of the board(s) or module(s) containing the sign message, but not including the supporting structure. The area to be calculated is the area within the smallest rectilinear perimeter that contains the entire signboard or module. The area of a sphere shall be computed as the area of a circle area of the largest face including its border area. If it is of an irregular shape, the area shall be computed by means of the smallest rectangle that will encompass the extreme limits.



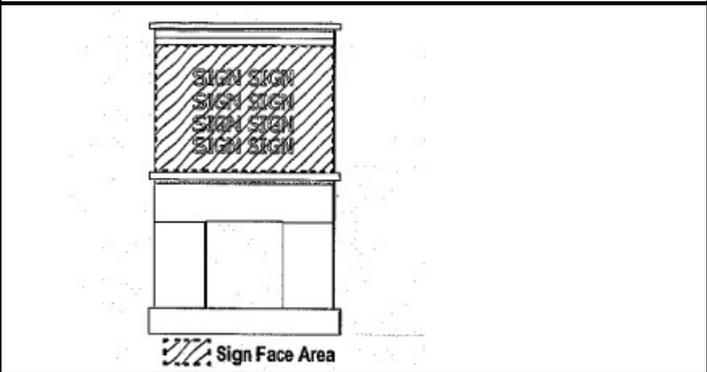
Sign area for cabinet signs is determined by calculating the measurements of the outer dimensions of the frame or cabinet surrounding the sign.

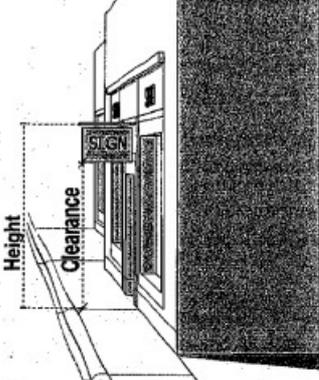
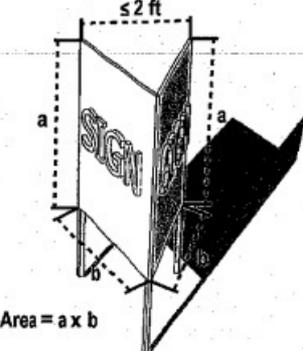
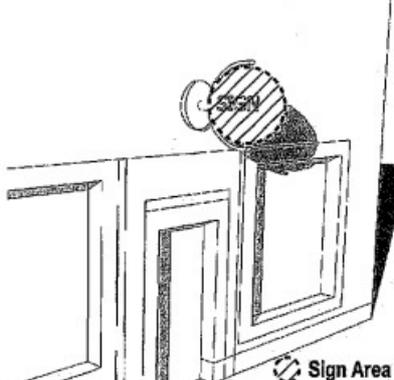


Sign area for signs with multiple cabinets. For freestanding and projecting signs that contain multiple cabinets on 1 structure, the modules together are counted as 1 sign face in order to compute the sign area.



Sign face. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.



<p>Sign height. Sign height shall be calculated as the vertical distance from the natural grade measured at a point either at the back of the curb level or 10 feet away from the front center of the sign, whichever is closer, to the upper-most point used in measuring the area of a sign.</p> <p>Sign clearance is measured from the finished grade directly below the sign to the bottom of the sign structure.</p>	
<p>Backed (double-faced) signs. When 2 sign faces supported by the same sign structure are placed back-to-back, or the distance between each sign face does not exceed 2 feet at any point, the signs shall be regarded as a single sign. The sign area shall be the area of the larger sign face.</p>	
<p>Round or 3-dimensional signs. Where a sign consists of one or more 3-dimensional objects (i.e., balls, cubes, clusters or objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum visible surface area from any vantage point.</p>	

(2) *Placement.*

- a. All freestanding signs shall be setback a minimum of 10 feet from property lines and shall not be located within drainage and utility easements.
- b. No sign shall extend over a sidewalk, walkway, or other space accessible to pedestrians, unless the bottom of the sign structure has a minimum 8 foot clearance as measured from the bottom of the sign structure to the ground directly below the sign. Exceptions are prohibited.
- c. No sign or sign structures taller than 3 feet shall be located within a clear view triangle area, as defined by Section 1001.03 of the Zoning Code.

(3) *Sign illumination and brightness.*

- a. The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding right-of-way and properties.
- b. The following standards shall apply to all illuminated signs:
 - 1. No sign or light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public. Colored lights or colored sign faces shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.
 - 2. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.
 - 3. Illuminated signs and signs with exposed light sources are prohibited in all residential zoned properties, unless as allowed by a Conditional Use Permit.
 - 4. Signs shall be illuminated only during business hours.
 - 5. Signs shall not have blinking, flashing, or fluttering lights, or other illuminating devices that have a changing light intensity, brightness or color.

6. No sign may be brighter than is necessary for clear and adequate visibility.

7. Signs using an LED (light emitting diode) light source shall not exceed a luminance of 500 candela per square meter (nits) between sunset and sunrise (night), and shall not exceed a luminance level of 5,000 candela per square meter between sunrise and sunset (day).

8. Signs using fluorescent, neon, or incandescent light sources shall not exceed 12 watts per square foot of sign surface area.

9. Illumination which mimics movement by means of lighting arrangement, lighting source, changes in either color or intensity of lighting or other devices shall not be permitted.

c. All signs which are illuminated shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions (e.g. dusk, dawn, etc.) to ensure that the sign does not exceed an intensity of 0.3 foot-candle above ambient light levels as measured from 100 feet from the sign's face.

(4) *Dynamic displays.* Dynamic displays as permitted by Subd. 5 of this Section are subject to the following conditions:

a. Only 1 dynamic display sign shall be allowed per lot.

b. Dynamic displays are allowed only on freestanding signs. Dynamic displays may occupy no more than 75% of the actual sign area. The remainder of the sign must not have the capability to have dynamic displays even if not used. Only 1, contiguous electronic message sign area is allowed on a sign face.

c. A dynamic display sign may not change or move more often than once every 8 seconds except 1 for which changes are necessary to correct hour and minute, date, or temperature information.

d. The images and messages displayed and transitioned must be instantaneous or fading. Modes of display which cause the message to flash or blink are prohibited. The dynamic display shall not be allowed to project full-motion video.

e. Dynamic displays must be designed and equipped to freeze the device in 1 position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the City that it is not complying with the standards of this Section.

f. Signs must comply with the lighting and brightness standards contained in this Section.

Subd. 5 District Regulations

(1) The following signs shall be allowed within the specific Zoning Districts. Signs shall comply with the sign types and standards in Tables 2-5.

a. *Sign standards.* In addition to the signs allowed by this Section, the following signs shall be allowed within the specific Zoning Districts. Signs shall comply with the sign types and standards in Tables 2-5.

b. *Planned unit developments.* All developments must comply with standards for the underlying zoning district. PUD sign plans that deviate from these standards may be requested as part of the Preliminary PUD development plan.

c. *Additional standards for specific types of signs* The following signs are permitted in addition to other allowed signage on a site:

1. *Menu boards.* Drive-through restaurants may be permitted 1 menu board not to exceed 50 square feet and not to exceed 6 feet in height. Restaurants with 2 drive through lanes may be permitted 1 sign per drive-through lane not to exceed 36 square feet and not to exceed 6 feet in height per sign. Menu boards may be internally illuminated. Such signage is in addition to the other signage allowed in the district.

2. *Motor fuel stations.* In addition to the 1 dynamic display permitted by Subdivision 4(4) of this Section, motor fuel stations in any district are permitted to display 1 additional 16 square foot dynamic display on freestanding sign or on the canopy as additional wall signage. Such signs are subject to the standards of this Section, and M.S. §§ 239.751 and 325D.71, as may be amended.

(2) *Freestanding sign standards.*

Table 2 - Freestanding Signs					
District	Quantity	Sign Area	Height	Style	Illumination
Table 2 - Freestanding Signs					
District	Quantity	Sign Area	Height	Style	Illumination
Agricultural and Residential Districts	1	32 sq. ft.	6 ft.	Monument	None
R-0	1	32 sq. ft.	8 ft.	Monument	None

B-1, B-2	1	64 sq. ft.	8 ft.	Monument	External, internal
B-3, B-4	1	64 sq. ft.	8 ft., 25 ft.	Monument, pylon	External, internal, dynamic display
BP, I-1, I-2	1	64 sq. ft.	8 ft.	Monument	External, internal, dynamic display
P-R	1	64 sq. ft.	8 ft.	Monument	External, internal, dynamic display
GMU-1	1	64 sq. ft.	8 ft., 25 ft.	Monument, pylon	External, internal, dynamic display
GMU-2	1	64 sq. ft.	8 ft.	Monument	External, internal, dynamic display
GMU-3	0	0	0	N/A	None
GMU-4	1	64 sq. ft.	8 ft.	Monument	External, internal, dynamic display
GMU-5	1	64 sq. ft.	8 ft., 25 ft.	Monument, pylon	External, internal, dynamic display

- a. The freestanding sign must be located at the primary entrance to the development.
- b. Except in the P-R and GMU districts, a second freestanding sign is permitted for residential subdivisions, subject to following:
 1. The development has 3 or more lots or principal buildings.
 2. The development has an entrance from a major collector or arterial street and a second entrance.
 3. No more than 2 freestanding signs shall be permitted for the development.
 4. The size of the second sign shall not exceed the maximum size allowed by Table 2.
- c. Commercial and industrial multiple occupancy buildings and developments shall be subject to the following:
 1. Freestanding signs on individual tax lots located within the development are not allowed.
 2. One freestanding sign shall be permitted for the entire development.
 3. Additional freestanding sign.
 - (a) One additional freestanding sign may be permitted when there is a minimum of 2 access streets.
 - (b) The access streets shall be a minimum of 500 lineal feet in length each. The signs shall be separated by a minimum of 300 lineal feet.
 4. No permit shall be issued for a new or replacement sign for an individual tenant except upon a determination by the Zoning Administrator that it is consistent with the approved comprehensive sign plan.
- d. Sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, the outlets shall be designated on the preliminary plat and detailed plans for the development signs shall be submitted with the final plat.
- e. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

f. The design and construction of the sign shall be done with masonry materials (brick, stone, etc.) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. Monument sign bases shall be constructed of similar materials, style and color as the principal building. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

(3) *Directional signs.*

a. On-premises signs shall not be larger than 4 square feet. The maximum height of the sign shall not exceed 5 feet from the ground.

b. The directional signs shall be so located such that the sign does not adversely affect adjacent properties (including site lines or confusion of adjoining ingress or egress) or the general appearance of the site from public rights-of-way.

c. No more than 4 signs shall be allowed per lot and shall be in addition to other allowed signage. The City Council may allow additional signs as part of a site plan or development plan as part of a master sign plan in situations where access is confusing or traffic safety could be jeopardized.

d. Permanent off-premises signs shall be allowed only in situations where access is confusing and traffic safety could be jeopardized or traffic could be inappropriately routed through residential streets. The size of the sign shall be no larger than what is needed to effectively view the sign from the roadway and shall be approved by the City Council. Temporary off-premises signs are prohibited, unless otherwise specified in this Chapter.

e. On-premises signs for industrially zoned land in excess of 40 acres shall not exceed 12 square feet. The maximum height of the sign shall not exceed 5 feet from the ground. The placement of directional signs on the property shall be so located such that the sign does not adversely affect adjacent properties or the general appearance of the site from public right-of-way. No more than 4 signs shall be allowed per site. The City Council may allow additional signs in situations where access is confusing or traffic safety could be jeopardized.

(4) *Wall sign standards.*

a. The following signs are allowed in the Agricultural, Residential and PR districts:

Table 3 - Wall Signs				
District	Sign Area	Illumination	Style	Additional Standards
Agricultural and residential districts	Not permitted	N/A	N/A	
P-R	10% of the primary building wall area up to 100 sq. ft.	External, internal	Individual letters or script logos	One wall, canopy or marquee sign per

b. The following signs are allowed in the R-0 districts:

Table 4 - Wall Signs				
District	Sign Area	Illumination	Style	Additional Standards
R-0	10% of the wall area up to 64 sq. ft.	External, internal	Individual letters or script logos	One wall, canopy or marquee sign per tenant

c. The following signs are allowed in the commercial, industrial and mixed use districts:

Table 5 - Wall Signs				
Wall Area (sq. ft.)	Sign Area - Maximum Percentage of Wall Area	Illumination	Style	Additional Standards
0-5,000	10%			One wall, canopy

5,000-15,000	7%			or marquee sign per tenant, except tenants that front on 2 public streets may be allowed 1 sign per frontage, subject to the same sign limits
15,000+	3%	External, internal	Individual letters or script logos	

1. Wall signs are limited to the primary entrance of the building or tenant space. The primary building facade shall be calculated as follows:

- (a) The primary building facade shall be calculated using the width of the first story exterior wall as defined in Section 1001.03, Subdivision 2.
- (b) Sign height shall not exceed the top of the parapet wall or, if no parapet wall, sign height shall not exceed the height of the eaves.
- (c) Exterior wall dimensions shall be measured at the base of the ground floor, excluding screening walls, fences, and the like.
- (d) Alcoves, entryways and extruding portions shall be measured through as though along a flat wall of a building.
- (e) Only the primary building facade shall be used for sign area calculations.

2. Wall signs must be located on the same wall as the primary building entrance.

- (a) All signs, including exempt and temporary signs, installed on the building shall be placed on the sign band. A sign band is the continuous portion of the building facade that is unbroken by doors or architectural building features.
- (b) Signs installed on the exterior building facade may be placed below the designated sign band when the Building Official can be assured that the public is satisfactorily protected from the sign and the sign is entirely over private property.

3. Where a principal building is devoted to 2 or more tenants, each tenant may install a wall sign upon the proportionate share of the building wall to which the sign is to be affixed. The total sign area for the tenants may not exceed the total sign area allowed for the building based on the primary building facade. Individual tenants of a multiple occupancy building within a commercial or industrial zoning district shall not display separate wall, canopy, or marquee signs unless the tenant's business has an exclusive exterior entrance and subject to the following requirements:

- (a) The number of individual wall canopy, or marquee signs shall be limited to 1 per tenant space, except that not more than 2 signs may be displayed for the tenant of a corner suite or a suite that extends through the building thus having 2 exterior entrances.
- (b) Total sign area shall be limited to the maximum wall sign size permitted in the applicable zoning district provisions in Tables 3-5 of this Section.
- (c) The sign shall be located only on the exterior wall of the tenant space to which the sign permit is issued, but are not required to face a public street.

4. Lettering on canopy and awning signs is restricted to the side panels or front drop. Canopies shall be considered to be an integral part of the structure to which they are accessory. Signs may be attached to a canopy, but such structures shall not be considered as part of the wall area, and thus shall not warrant additional sign area.

5. Internally lit wall signs are limited to logo signs and individually-mounted channel lit lettering.

6. Multiple occupancy commercial and industrial buildings. When a single principal building is devoted to 2 or more commercial or industrial principal uses, a comprehensive sign plan shall be submitted for review and approval of the Zoning Administrator and shall include:

- (a) A site plan to scale showing the location of lot lines, buildings, structures, parking areas, existing and proposed signs, and any other physical features of the area included within the proposed comprehensive sign plan.
- (b) Elevations to scale of buildings included within the comprehensive sign plan including the location of existing or proposed wall, canopy, or marquee signs.
- (c) To scale plans for all existing and proposed signs of any type included within the comprehensive sign plan indicating area, dimensions, height, materials, colors, and means of illumination (if any).

(5) *Temporary signs.*

a. Freestanding signs shall be set back no less than 10 feet from the property line and shall not exceed 32 square feet in area.

- b. If building-mounted, these signs shall be flat wall signs and shall not project above the roofline.
- c. If ground-mounted, the top shall be no more than 6 feet above ground level.
- d. Such signs shall be allowed no more than 21 days prior to the event or function and must be removed within 7 days after the event or function.
- e. Such signs may be illuminated in accordance with restrictions set forth in this Section.
- f. Temporary development sales signs shall be allowed upon approval of a final plat for a subdivision having 5 or more lots provided that:
 - 1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.
 - 2. Each construction site will be allowed up to 2 signs, each limited to a maximum of 32 square feet in area.
 - 3. Freestanding signs shall be limited to a maximum height of 8 feet.
 - 4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

(6) *Projecting signs.* Projecting signs are permitted only in the General Mixed Use Districts, subject to the standards in Section 1001.065:

- a. *Location.*
 - 1. A projecting sign shall be placed only on the sign band of the first story building facade, as regulated by Subdivision 5(4).
 - 2. The sign may not extend above the windowsill of a second story building or above the roof eave and/or roofline.
 - 3. The sign extends 5 feet into a required yard setback.
- b. *Clearance.*
 - 1. A minimum clearance of 8 feet between the bottom of the sign and the finished grade or sidewalk below the sign is required.
 - 2. At alleys when no curb exists a minimum height of 14 feet between the bottom of the sign and the finished grade below the sign is required.
- c. *Projection from wall.* Where a building is built to the property line for its entire frontage, the projecting sign may extend from the building over a public sidewalk a maximum of 42 inches and the sign structure shall be no wider than 36 inches.
- d. Only 1 sign shall be allowed per building. The sign area shall be in addition to allowed wall signage; however, the area of the projecting sign shall be deducted from the wall sign area allowed on a building.
- e. The maximum area of a projecting sign is 8 square feet.
- f. *Supporting structure.* Sign supports and brackets shall be compatible with the design and scale of the sign.

(7) *Off-premises signs.* Existing off-premises signs erected prior to January 8, 2008 are an allowed use subject to the following requirements:

- a. The sign is defined as a principal use of the property upon which a billboard is located. No approval shall be granted for a second principal use upon a property when one of the principal uses is an off-premises sign allowed by this Section.
- b. Off-premises signs shall be allowed only in non-residential districts, on property abutting a federal interstate highway right-of-way.
- c. Off-premises signs shall be visible and oriented toward a federal interstate highway.
- d. Off-premises signs shall be freestanding and shall not be installed on any building.
- e. All off-premises advertising signs shall be spaced a minimum of 1,500 lineal feet apart.
- f. The sign face shall not exceed 400 square feet or 14 feet in vertical height and 30 feet in horizontal length, whichever is less. Extensions beyond the sign face shall not be permitted.
- g. The off-premises sign shall not exceed 24 feet in height, as measured from finished grade, however, if a variance is granted the maximum height shall not exceed 35 feet.
- h. External illumination shall comply with this Subdivision 7. Electrical wiring to the sign shall be located underground.
- i. All off-premises signs erected or moved shall be installed behind the legal setback line of each parcel of property as determined by the Zoning Code of the City.

j. All structural supports for off-premises signs shall be constructed of steel.

k. Only flat, single-faced or double-faced off-premises signs shall be permitted.

l. Internally illuminated and/or animated off-premises signs are prohibited, except that an off-premises sign may be converted to a digital off-premises sign using LED or similar technology, subject to the following requirements:

1. The conversion of an off-premises sign to a digital off-premises sign shall be subject to the permitting requirements set forth in Subdivision 4, Permit Required.

2. Electrical wiring to the sign shall be located underground and concealed by the vertical support structure of the digital off-premises sign.

3. All digital off-premises signs shall be equipped with ambient light sensors. The brightness of a digital off-premises sign shall not be brighter than is necessary for clear and adequate visibility as determined by the Zoning Administrator and may not exceed the provisions of Subdivision 4(4).

4. The graphic display may not change or move more often than once every 8 seconds. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any motion, special effects, or active video.

5. At least 80% of all sides of the vertical support structure shall be concealed with architectural embellishments consisting of stone, brick, masonry panels, stucco, or synthetic material that has the appearance of stone, brick, or stucco.

6. A digital off-premises sign must be at least 1,500 feet from any residential districts and 4,000 feet from any other digital off-premises sign on the same right-of-way within the City. Such signage must comply with the performance standards in Subdivision 7(5).

7. A digital off-premises sign shall provide at least 14 feet of clearance, as measured from the finished grade to the lowest portion of the sign structure and shall not exceed 35 feet as measured from the finished grade to the highest portion of the sign structure.

8. The digital off-premises sign face may be upgraded to the existing square footage of the off-premises sign face square footage in existence prior to February 13, 2018, and is not to exceed industry standard of a height of 14 feet by 48 feet wide.

9. A digital off-premises sign shall allow for real-time public safety messages, including Amber Alerts, severe weather alerts, and emergency or public safety messages. Such messages shall be displayed upon the request of the City or other governmental entity when such entity determines that the rapid and effective dissemination of instructions and other essential information can significantly help reduce loss of life and property. The owner of the digital off-premises sign shall enter into a written agreement with the City to post public service messages in an amount not to exceed 5 hours of cumulative time in any 1-month period.

Subd. 6 Prohibited Signs

(1) Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(2) Billboards.

(3) Changeable copy signs, electronic, except as specifically allowed by this Chapter.

(4) Content classified as **Obscene** as defined by M.S. § 617.241.

(5) Electronic graphic display signs except as allowed by this Chapter.

(6) Flashing signs.

(7) Multi-vision signs.

(8) Portable signs.

(9) Roof signs.

(10) Rotating signs.

(11) Shimmering signs.

(12) Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures.

(13) Obsolete and off premises signs: Residential Districts (except those established prior to January 2008). No signs shall be permitted which advertises a business which is not being presently conducted on the premises on which the sign is located.

(14) Any sign within the public right of way.

Subd. 7 General Requirements

(1) Except as provided for by this Section, all signs shall be defined as an accessory use.

(2) *Design, construction, inspection and maintenance.*

a. All signs and sign structures shall be properly maintained and shall be kept in a safe and orderly condition. All signs on a single building shall be repainted, repaired or replaced. The City may order special repair to be made in order that the appearance and safety of the sign may be maintained.

b. When electrical signs are installed, the installation shall be subject to the Minnesota State Electrical Code and overhead electrical wiring shall not be allowed.

c. Signs and sign structures not used for 12 consecutive months shall be removed.

d. All signs shall incorporate materials and colors which are compatible with the building upon which the sign is located. Compatible shall include, but is not limited to, materials that are consistent with the principal architectural features and colors of the buildings being identified. All signs shall be of good quality, and shall be designed to include a minimal amount of attractive and tasteful colors and design elements. The layout of the sign shall give the sign a neat and orderly appearance.

e. Except those signs listed in Subdivision 5, Permit Not Required, all signs shall be constructed of permanent materials and permanently affixed to a structural support in the ground or on the building.

f. No sign permitted by this Subsection shall, by reason of its location, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.

Subd. 8 Permit Required

(1) Except as allowed in Subdivision 5, no sign shall be erected, altered, improved, reconstructed, maintained or moved in the City without first securing a permit from the City:

a. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.

b. Application for an administrative permit shall be filed by the property owner or designated agent with the Zoning Administrator on forms to be provided by the City.

c. Application for a permit shall contain the following information unless waived by the City:

1. Names and addresses of the applicant, owners of the sign and lot.

2. The address at which any signs are to be erected.

3. The lot, block and addition at which the signs are to be erected and the street on which they are to front.

4. Type and size of sign (e.g., wall sign, pylon sign).

5. A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.

6. Plans, location and specifications and method of construction and attachment to the buildings or placement method of the ground.

7. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City.

8. Written consent of the owner or lessee of any site on which the sign is to be erected.

9. Any electrical permit required and issued for the sign.

10. A detailed description of any electronic or electrical components that are proposed to be added to the sign.

11. Other information to demonstrate compliance with this and all other ordinances of the City.

d. The application shall be accompanied by a fee as established by ordinance. Applications for amending administrative permits shall be accompanied by a fee as established by ordinance.

e. The Zoning Administrator shall notify the applicant, in writing, of an incomplete application within 15 days of the date of submission.

f. The Zoning Administrator shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, codes, ordinances, and applicable performance standards set forth in this Section within 60 days of submission of a complete application.

Subd. 9 Permit Not Required

The following signs shall not require a permit and are allowed in addition to those signs allowed by Subdivision 9 of this Section. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its

erection and maintenance, and its compliance with the provisions of this Section or any other law or ordinance regulating the same.

- (1) The changing of the display surface on a painted or printed sign only. This exemption, however, shall apply only to poster replacement and/or on-site changes involving sign painting not directly on a building.
- (2) Signs 2 square feet or less in size.
- (3) Window signs provided they do not exceed 25% of the total window area on any building facade.
- (4) One sign per property in residential districts not to exceed 9 square feet.
- (5) All noncommercial signs of any size posted in any number from August 1 in a state general election year until 10 days following general election, and 13 weeks prior to any special election until 10 days following the special election.
- (6) Official signs.
- (7) Two signs shall be allowed per street frontage when a building is offered for sale or lease, provided that:
 - a. Within the residential districts, no sign shall exceed 10 square feet in area and 6 feet in height for single-family, 2-family, and townhouse units; or 32 square feet in area or 8 feet in height for multi-family or institutional uses.
 - b. Within all other zoning districts and in those cases where a parcel of land exceeds 10 acres, regardless of its zoning, no sign shall exceed 32 square feet in area or 12 feet in height.

Subd. 10 Non-Conforming Signs

- (1) Any sign legally existing at the time of the passage of this Subdivision that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a legal non-conforming use or structure and may continue in such status until such time as it is either abandoned or removed by its owner, subject to M.S. § 462.357, as may be amended.
- (2) Except as otherwise provided herein, permanent signs in existence on the effective date of this Subdivision, which are not in conformance with the provisions of this Subdivision shall be regarded as non-conforming signs and regulated as provided for by Section 1001.22, Subdivision 2.

Subd. 11 Enforcement and Penalties

- (1) This Chapter shall be administered and enforced by the Zoning Administrator. The Zoning Administrator may institute in the name of the City appropriate actions or proceedings against a violator.
- (2) *Inspection.* All signs for which a permit is required shall be subject to inspection by the Zoning Administrator.
- (3) The City reserves the right to require the removal at the owner's expense of any sign when the requirements of this Section are not completely followed and adhered to, or if a sign is not properly maintained or falls into a state of disrepair. The City shall not have any obligation or liability to replace any sign when removed by the City.
- (4) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this Chapter shall, upon conviction thereof, be fined or penalized not more than the maximum levels established by the state for misdemeanor offenses.

(Prior Code, § 1001.12, Subd. 2) (Am. Ord. 2004-01, passed 3-9-2004; Am. Ord. 2008-01, passed 1-8-2008; Am. Ord. 2011-13, passed 9-13-2011; Am. Ord. 2012-06, passed 4-24-2012; Am. Ord. 2014-04, passed 3-25-2014; Am. Ord. 2018-06, passed 2-13-2018; Am. Ord. 2021-21, passed 12-14-2021; Am. Ord. 2023-10, passed 12-12-2023)



TO: Dayton Economic Development Authority
FROM: Kendra Lindahl, Landform
DATE: August 9, 2021 for the August 17, 2021 EDA Meeting
RE: Sign Ordinance Amendments

1. Description of Request

At the direction of the EDA, we have been working with City staff to update the sign ordinance related to dynamic signs. A review of the ordinance suggested that additional updates were needed to address current development needs in the City.

2. Background

At the EDA meeting on June 15, 2021, we conducted a visual preference survey on dynamic signs. The EDA unanimously supported dynamic signs over changeable message signs, but was split over whether they should be allowed on freestanding signs only or on both wall and freestanding signs. Generally, the EDA preferred monument signs over pylon signs.

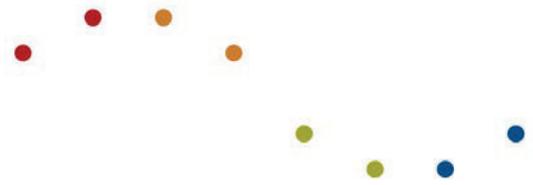
3. Analysis

Key Changes

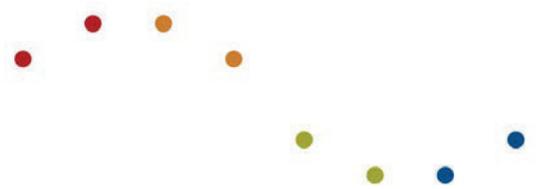
We have prepared a first draft of the sign ordinance update that addresses the key issues outlined in our scope of work. The update incorporates some pretty significant changes from the existing ordinance. The significant reorganization makes it difficult to read the redlined version of the ordinance showing the ~~stricken~~ material that is to be delated and the underlined material to be added. Therefore, we have attached a copy of the proposed ordinance language and a copy of the existing sign ordinance for reference.

We have updated the sign ordinance to ensure that the ordinance address legal protections for the City. The following list summarizes the key changes in the draft ordinance:

- a. We reorganized the sign regulations in a way the clusters the standards together for easier use.
- b. The ordinance was updated with tables to make it easier to read and understand.
- c. Graphics will be updated prior to the public hearing and additional graphics will be created to describe the concepts. Placeholders are provided where updated graphics will be added.
- d. The non-conforming sign section has been updated to be consistent with State law.



- e. We added additional standards for time/temperature signs, canopy signs, fuel pricing signs and drive-through signage. The language generally allows more signage that currently allowed in the code but similar to other area communities.
- f. We brought the GMU standards over from Section 1001.65, so that all sign standards are in one place. The City will also need to modify Section 1001.65 to eliminate duplication and update the reference to the sign regulations. The GMU-1, 2 and 4 districts allowed up to 100 sq. ft. of signage and the GMU-3 had a formula based on frontage with a maximum of 64 sq. ft.. We believe the amount of signage was too much for the walkable, pedestrian-friendly design criteria for these districts and recommend a reduction to 64 sq. ft. as allowed in other districts for freestanding signs but allow up to 100 sq. ft. of wall signage in GMU-2, 3 and 4 and 64 sq. ft. in GMU-2, which is most similar to the B-1 district.
- g. We made the standards more consistent across districts.
- h. Monuments signs remain the standard freestanding sign but allowed pylon signs up to 25 feet high in the B-3 and B-4 districts. This was the height approved for Kwik Trip and is appropriate in the Highway 81 corridor.
- i. The draft allows dynamic signs in most commercial and industrial districts.
 - i. Dynamic Freestanding Signs are permitted in B-3, B-4, BP, I-1, I-2, P-R, GMU-1, GMU-2 and GMU-4.
 - ii. Dynamic Wall Cabinet Signs are permitted in B-3, B-4, GMU-1, GMU-2 and GMU-4.
 - iii. The dynamic portion of the wall sign is limited to 60% of the total sign area. We reviewed sign ordinance from a number of other communities and found that this is a fairly typical standard. This also aligns with the feedback from the visual preference survey from the EDA where approximately 1/2 of the EDA preferred to have a permanent sign component.
- j. Cabinet signs are permitted for monument and pylon signs, but continue to be prohibited as wall signs, except where they are allowed as a dynamic sign.
- k. Sign standards have generally remained the same although conflicts within the code regarding monument sign height have been revised to consistently allow 8 ft. high monument signs.
- l. Wall signs continue to allow up to 10% of the wall area for wall signs, but each district has a limit (between 64 – 100 sq. ft. total). Staff notes that these maximum limits are in the existing ordinance. Staff reviewed a number of other cities and found a variety of approaches to signage. We believe that the allowable signage in Dayton is consistent with other communities as summarized below:
 - i. Anoka has a formula that varies wildly between districts with a maximum sign area.
 - ii. Baxter has a formula based on street frontage that allows a total combined square footage of freestanding and wall signage up to a maximum of 200 – 250 sq. ft. depending on district.



- iii. Champlin allows one wall sign per public street frontage not to exceed two wall signs. Wall signs shall not exceed ten percent of the front building facade and five percent of any other facade to which it is attached with no maximum.
- iv. Corcoran allows signage on the primary wall only and allows up to 10% of the primary building face in commercial and industrial districts with no maximum.
- v. Eden Prairie allows The total area of a wall sign on any wall of a single tenant building shall not exceed 15% of the wall area of that wall when said wall area does not exceed 500 square feet in the commercial areas but a maximum of 50 sq. ft. in the office districts and 80 sq. ft. in the industrial districts.
- vi. Elk River limits wall signs to 15% of the facade area with no maximum.
- vii. Hopkins is similar to Baxter in that it allows a maximum total sign area for wall and freestanding signs with a formula that varies by district.
- viii. Ramsey allows up 15 % of the front building façade with no limit in the commercial district but industrial and business park districts to have size limits.

Staff recommends approval of the changes as drafted, however, if the EDA believes that additional signage is required to be economically competitive, staff recommends eliminating the sign area maximum from the B-3 and B-4 districts. These are the more intense commercial districts along Highway 81 and would allow the City to provide more signage for those businesses while continuing to limit signage in other areas.

Definitions

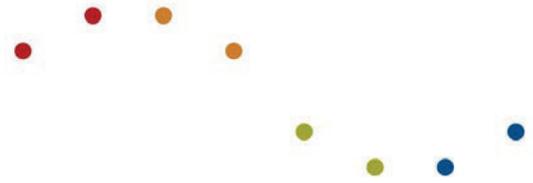
Sign definitions are included in Section 1001.03 of the Zoning Ordinance. We do recommend that those definitions be reviewed, updated and included in the public hearing at the Planning Commission. For example, the following definitions (or something similar) would likely be added, but we recommend doing so after EDA review and comment on the draft ordinance, because the discussion could identify other terms to be defined:

Candela per square meter (cd/m²) – The SI (metric) unit used to describe the luminance of a light source or of an illuminated surface that reflects light. Also referred to as Nits.

Changeable Sign - A sign with the capability of content change by means of manual or remote input, including signs that are manually or electrically activated.

1) **Manually Activated** - Changeable sign whose message copy or content can be changed manually on a display surface. Not illuminated.

2) **Electrically Activated** - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Dynamic Display.



Channel Letter (open faced) – A dimensional letter with a back and sides but no face at the front of the letter. Open Faced Channel Letters may be non-lit, externally illuminated, or illuminated by a light source contained inside the open channel of the letter itself, such as a neon tube.

Channel Letter (internally illuminated) – A dimensional letter with a back, sides and a translucent front face capable of transmitting light from an internal light source within the letter.

Channel Letter (reverse) – A dimensional letter with a face and sides but no back, opposite to an Open Faced Channel Letter. A Reverse Channel Letter has an open channel facing the wall or building to which it is affixed. A Reverse Channel Letter may contain a source of illumination designed to project lighting against the surface behind the letter, commonly referred to as a Backlit Channel Letter; also referenced as a halo or silhouette lighted channel letter. The face of a Reverse Channel Letter does not illuminate.

Directional Sign - Any sign that is designed for the purpose of providing direction for pedestrian or vehicular traffic.

Directory Sign - A wall sign that identifies individual tenants within a development that do not have their own exclusive exterior entrance.

Externally Illuminated Sign - A sign characterized by the use of artificial light reflecting off its surface.

Freestanding Sign - A sign principally supported by a structure affixed to the ground and not supported by a building. Pylon and monument signs are types of freestanding signs. Table xx identifies types of permitted freestanding signs.

Integral Sign - A sign carrying the name of a building, its date of erection and incidental information about its construction, and made an integral part of the structure.

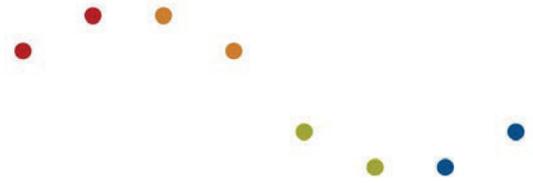
Interior Sign - Any sign placed within a building, but not including window signs. (Interior Signs are not regulated by this ordinance).

Illuminance – The amount of light falling upon a real or imaginary surface, commonly called “light level” or “illumination”. Measured in foot-candles (lumens/square foot) in the English system and lux (lumens/square meter) in the SI (metric) system.

Internally Illuminated Sign - A sign characterized by the use of artificial light projecting outward through its surface.

Logo Signs - Any brand name, trademark, logo, distinctive symbol or other similar device or thing used to identify a particular business, institution or activity.

Luminance – The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English



measurement units.) Expressed in SI units as cd/m^2 , and in English units as foot lamberts. Sometimes also expressed as “nits”, a colloquial reference to SI units. Can be measured by means of a luminance meter.

Lux – The SI (metric) unit for illuminance. One lux equals 0.093 foot-candles.

Natural Grade - The grade of a site before it is modified by moving earth, adding or removing fill, or installing a berm, retaining wall or other earthwork feature.

Nit - A photometric unit of measurement referring to luminance. One nit is equal to $1 \text{ cd}/\text{m}^2$.

Off-Premise Signs - A sign advertising products, goods, services, or places of business or services offered at a location other than the lot upon which the sign is maintained.

On-Premise Sign - A sign used for the purpose of displaying messages pertinent to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

Primary Building Face - The wall of a building façade fronting on a street or right-of-way, excluding any appurtenances such as projecting fins, columns, pilasters, canopies, marquees, showcases, or decorations. There is only one primary building face per tenant.

Real Estate Sign - A temporary sign advertising the open house, sale, lease, or rental of the property or premises upon which it is located.

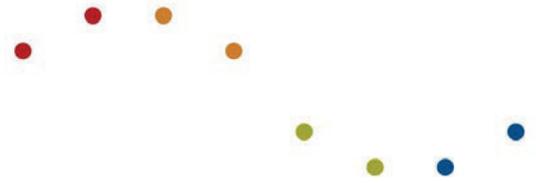
Scroll – A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

SI (International System of Units) – The modern metric system of measurement; abbreviated SI for the French term “Le Systeme International d’Unites.”

Tenant Space - For the purpose of this Section, a tenant space is considered to be a business area that has its own exclusive interior or exterior entrance within a multiple-occupancy development.

Wall or Fascia Sign - A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than 18 inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.

Window Sign - A sign attached to, placed upon, or painted on a window or door of a building, or located within 1-foot of the interior of a window, that is intended for viewing from the exterior of such building.



Next Steps

The EDA should provide feedback on the draft amendments.

The sign ordinance is part of the Zoning Ordinance and requires a public hearing at the Planning Commission prior to adoption by the City Council.

4. Recommendation

Direct staff to schedule a public hearing at the Planning Commission.

Attachments

1. Draft Sign Ordinance with changes accepted
2. Existing Sign Ordinance
3. 2021-06-15 EDA visual preference survey results

1001.20 SIGNS.

Subd. 1 Findings, Purpose and Effect

(1) Findings.

- a. Exterior signs have a substantial impact on the character and quality of the environment.
- b. Signs provide an important medium through which individuals may convey a variety of messages.
- c. Signs can create traffic hazards and aesthetic concerns, thereby threatening the public health, safety and welfare.
- d. The City's zoning regulations have, since their inception, included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.

(2) Purpose and intent. It is not the purpose or intent of this Section to regulate the message displayed on any sign; nor is it the purpose or intent of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Section is to:

- a. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
- b. Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
- c. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
- d. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

(3) Effect. A sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of this section. The effect of this Section, as more specifically set forth herein, is to:

- a. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Section.
- b. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Section.
- c. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be

accomplished by means having a lesser impact on the environment and the public health, safety and welfare.

- d. Provide for the administration and enforcement of the provisions of this Section.

Subd. 2 Substitution

The owner of any sign which is otherwise allowed by this Section may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

Subd. 3. Severability

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Sign Ordinance. The City Council hereby declares that it would have adopted the Sign Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Subd. 4. Measurements

- (1) The following criteria shall be used in measuring a sign or building façade in order to determine compliance with this Subsection:

Table 1 – Sign Measurements	
Sign Copy is defined as the physical sign message including any words, letters, numbers, pictures and symbols.	(insert image)
Sign Area is the area of the board(s) or module(s) containing the sign message, but not including the supporting structure. The area to be calculated is the area within the smallest rectilinear perimeter that contains the entire signboard or module. The area of a sphere shall be computed as the area of a circle area of the largest face including its border area. If it is of an irregular shape, the area shall be computed by means of the smallest rectangle that will encompass the extreme limits.	(insert image)

Table 1 – Sign Measurements	
Sign Area for Cabinet Signs is determined by calculating the measurements of the outer dimensions of the frame or cabinet surrounding the sign.	(insert image)
Sign Area for Signs with Multiple Cabinets. For freestanding and projecting signs that contain multiple cabinets on one structure, the modules together are counted as one sign face in order to compute the sign area.	(insert image)
Sign Face. The surface upon, against or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border.	(insert image)
Sign Height. Sign height shall be calculated as the vertical distance from the natural grade measured at a point either at the back of the curb level or 10 feet away from the front center of the sign, whichever is closer, to the upper-most point used in measuring the area of a sign. Sign Clearance is measured from the finished grade directly below the sign to the bottom of the sign structure.	(insert image)
Backed (double-faced) signs. When two sign faces supported by the same sign structure are placed back-to- back, or the distance between each sign face does not exceed two feet at any point, the signs shall be regarded as a single sign. The sign area shall be the area of the larger sign face.	(insert image)
Round or 3-dimensional signs. Where a sign consists of one or more 3-dimensional	(insert image)

Table 1 – Sign Measurements	
objects (i.e., balls, cubes, clusters or objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum visible surface area from any vantage point.	

(2) Placement.

a. All freestanding signs shall be setback a minimum of 10 feet from property lines and shall not be located within drainage and utility easements.

b. No sign shall extend over a sidewalk, walkway, or other space accessible to pedestrians, unless the bottom of the sign structure has a minimum 8 foot clearance as measured from the bottom of the sign structure to the ground directly below the sign. Exceptions are prohibited.

c. Clear view triangle.

1. No sign or sign structures taller than 3 feet shall be located within a clear view triangle area.

2. On a corner lot, the clear view triangle area is formed by the curb lines or edge of street extended and the line connecting 55 feet from the intersection of the street edges or curb lines extended.

(3) Sign illumination and brightness.

a. The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding right-of-way and properties.

b. The following standards shall apply to all illuminated signs:

1. No sign or light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public. Colored lights or colored sign faces shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

2. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.

3. Illuminated signs and signs with exposed light sources are prohibited in all residential zoned properties, unless as allowed by a conditional use permit.

4. Signs shall be illuminated only during business hours.

5. Signs shall not have blinking, flashing, or fluttering lights, or other illuminating devices that have a changing light intensity, brightness or color.

6. No sign may be brighter than is necessary for clear and adequate visibility.

7. Signs using an LED (light emitting diode) light source shall not exceed a luminance of 500 candela per square meter (nits) between sunset and sunrise (night), and shall not exceed a luminance level of 5,000 candela per square meter between sunrise and sunset (day).

8. Signs using fluorescent, neon, or incandescent light sources shall not exceed 12 watts per square foot of sign surface area.

9. Illumination which mimics movement by means of lighting arrangement, lighting source, changes in either color or intensity of lighting or other devices shall not be permitted.

c. All signs which are illuminated shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions (e.g. dusk, dawn, etc.) to ensure that the sign does not exceed an intensity of 0.3 foot-candle above ambient light levels as measured from 100 feet from the sign's face.

(4) Dynamic Displays. Dynamic displays as permitted by Subd. 5 of this Section (District Regulations) are subject to the following conditions:

a. Only one dynamic display sign shall be allowed per lot.

b. Dynamic displays are allowed only on freestanding signs. Dynamic displays may occupy no more than 60% of the actual sign area. The remainder of the sign must not have the capability to have dynamic displays even if not used. Only one, contiguous electronic message sign area is allowed on a sign face.

c. A dynamic display sign may not change or move more often than once every eight seconds except one for which changes are necessary to correct hour and minute, date, or temperature information.

d. The images and messages displayed and transitioned must be instantaneous or fading. Modes of display which cause the message to flash or blink are prohibited. The dynamic display shall not be allowed to project full-motion video.

e. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the City that it is not complying with the standards of this section.

f. Signs must comply with the lighting and brightness standards contained in this section.

Subd. 5 District Regulations

(1) In addition to the signs allowed by Subdivision 6 of this Section, the following signs shall be allowed within the specific Zoning Districts. Signs shall comply with the sign types and standards in Table 2 and Table 3.

a. **Sign Standards.** In addition to the signs allowed by Subdivision 6 of this Section, the following signs shall be allowed within the specific Zoning Districts. Signs shall comply with the sign types and standards in Table 2 and Table 3.

- b. **Planned Unit Developments.** All developments must comply with standards for the underlying zoning district. PUD sign plans may be requested as part of the Preliminary PUD development plan.
- c. **Additional standards for specific types of signs.** The following signs are permitted in addition to other allowed signage on a site:
- i. **Menu Boards.** Drive-thru restaurants may be permitted 2 menu boards, not to exceed 36-square feet per board. No more than 20% of the total area of the sign may be utilized for business identification. Menu boards may be internally illuminated.
 - ii. **Motor Fuel Stations.** In addition to the one dynamic display permitted by Subd, 4(4) of this Section, motor fuel stations in any district are permitted to display one additional 16 square foot dynamic display on one wall sign or freestanding sign. Such signs are subject to the standards of this Section (1001.20), and Minnesota State Statutes §239.751 and, §325D.71, as may be amended.

(2) Freestanding Sign Standards.

Table 2 – Freestanding Signs					
District	Quantity	Sign Area	Height	Style	Illumination
Agricultural and Residential Districts	1	32 sq. ft.	6 ft.	Monument	none
R-O and VM	1	32 sq. ft.	8 ft.	Monument	none
B-1, B-2	1	64 sq. ft.	8 ft.	Monument	<ul style="list-style-type: none"> •External •Internal
B-3, B-4	1	64 sq. ft.	8 ft. 25 ft.	Monument Pylon	<ul style="list-style-type: none"> •External •Internal • Dynamic Display
BP, I-1, I-2	1	64 sq. ft.	8 ft.	Monument	<ul style="list-style-type: none"> •External •Internal • Dynamic Display

Table 2 – Freestanding Signs					
District	Quantity	Sign Area	Height	Style	Illumination
P-R	1	64 sq. ft.	8 ft.	Monument	•External •Internal • Dynamic Display
GMU-1	1	64 sq. ft.	8 ft.	Monument	•External •Internal • Dynamic Display
GMU-2	1	64 sq. ft.	8 ft.	Monument	•External •Internal • Dynamic Display
GMU-3	0	0	0	Monument	none
GMU-4	1	64 sq. ft.	10 ft.	Monument	•External •Internal • Dynamic Display

- a. The freestanding sign must be located at the primary entrance to the development.
- b. Except in the P-R and GMU districts, where a development has an entrance from a major collector or arterial street and a second entrance, a second freestanding sign is permitted for subdivision subject to following:
 - i. The development has three or more lots or principal buildings.
 - ii. No more than two freestanding signs shall be permitted for the development.
 - iii. The size of the second sign shall not exceed the maximum size allowed by Table 2.
- c. Sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, the outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.
- d. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

- e. The design and construction of the sign shall be done with masonry materials (brick, stone, etc.) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.
- f. Within the Agricultural and Residential Districts, Sign(s) requiring regular long-term maintenance, the sign(s) shall be located on separate or common space outlots of sufficient size and area to accommodate said structure:
 - 1. An association or other form of deed restriction and ownership deemed acceptable by the Zoning Administrator and involving all the properties within the subdivision shall be required, which shall own and be responsible for the upkeep, perpetual maintenance, taxes, insurance, utilities and other costs associated with the sign(s) and the outlot upon which it is located.
 - 2. The association rules or by-laws, or similar legal document, shall specify how the aforementioned sign responsibilities will be delegated and paid for. Such legal document shall be subject to the review and approval of the City Attorney.
 - 3. Separate or common space outlots for signs shall be considered and planned for at the time of preliminary plat application and be included in the final plat. The subdivision development contract between the City and the developer shall specify the designated use of the outlot(s), its ownership and the respective responsibilities regarding the outlot.

(3) Within the B-1, Office Business District, B-3, General Business District, B-P, Business Park District, B-4, Commercial/Industrial District, 1-1, Light Industrial District and I-2, Heavy Industrial District:

- a. In addition to the freestanding sign allowed by (7)a of this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:
 - 1. Not more than one sign is allowed.
 - 2. The sign shall be single sided with an area not to exceed 50 square feet.
 - 3. The height of the sign shall not exceed 6 feet including its base or pole measured from grade to the top of the structure.
 - 4. The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

(4) Directional signs.

- a. On-premises signs shall not be larger than four square feet. The maximum height of the sign shall not exceed five feet from the ground. The placement of directional signs on the property shall be so located such that the sign does not adversely affect adjacent properties (including site lines or confusion of adjoining ingress or egress) or the general appearance of the site from public rights-of-way. No more than four signs shall be allowed per lot and shall be in addition to other allowed signage. The City Council may allow additional signs in situations where access is confusing or traffic safety could be jeopardized.
- b. Permanent off-premises signs shall be allowed only in situations where access is confusing and traffic safety could be jeopardized or traffic could be inappropriately routed through residential streets. The size of the sign shall be no larger than what is needed to effectively view the sign from the roadway and shall be approved by the City Council . Temporary off-premises signs are prohibited, unless otherwise specified in this chapter.
- c. On-premises signs for industrially zoned land in excess of 40 acres shall not exceed 12 square feet. The maximum height of the sign shall not exceed five feet from the ground. The placement of directional signs on the property shall be so located such that the sign does not adversely affect adjacent properties or the general appearance of the site from public right-of-way. No more than four signs shall be allowed per site. The City Council may allow additional signs in situations where access is confusing or traffic safety could be jeopardized.

(5) Wall Sign Standards.

Table 3 – Wall Signs				
District	Sign Area	Illumination	Style	Additional Standards
Agricultural and Residential Districts	not permitted	n/a	n/a	
R-O and VM	10% of the wall area up to 64 sq. ft.	<ul style="list-style-type: none"> •External •Internal 	individual letters or script logos	one wall, canopy or marquee sign per tenant
B-1, B-2	10% of the wall area up to 80 sq. ft.	<ul style="list-style-type: none"> •External •Internal 	individual letters or script logos	one wall, canopy or marquee sign per tenant
B-3, B-4	10% of the wall area up to 100 sq. ft.	<ul style="list-style-type: none"> •External •Internal 	•individual letters or script logos	one wall, canopy or marquee sign per tenant, except tenants that front on two

Table 3 – Wall Signs				
District	Sign Area	Illumination	Style	Additional Standards
			•Dynamic Display	public streets may be allowed one sign per frontage
BP, I-1, I-2	10% of the wall area up to 100 sq. ft.	•External •Internal	•individual letters or script logos	one wall, canopy or marquee sign per tenant
P-R	10% of the primary building wall area up to 100 sq. ft.	•External •Internal	individual letters or script logos	one wall, canopy or marquee sign per tenant
GMU-1	10% of the wall area up to 64 sq. ft.	•External •Internal	•individual letters or script logos •Dynamic Display	Also subject to standards in Section 1001.065, Subd. 1 (12) of the Zoning Ordinance
GMU-2	10% of the primary building wall area up to 100 sq. ft.	•External •Internal	•individual letters or script logos •Dynamic Display	Also subject to standards in Section 1001.065, Subd. 2 (14) of the Zoning Ordinance
GMU-3	10% of the primary building wall area up to 100 sq. ft.	•External •Internal	•individual letters or script logos	Also subject to standards in Section 1001.065, Subd. 3 (14) of the Zoning Ordinance
GMU-4	10% of the primary building wall area up to 100 sq. ft.	•External •Internal	•individual letters or script logos •Dynamic Display	Also subject to standards in Section 1001.065, Subd. 4 (11) of the Zoning Ordinance

a. Wall Signs.

1. Wall signs are limited to one sign at the primary entrance of each tenant space, not to exceed 10% of the primary building face of the related tenant space. The primary building face shall be calculated as follows:

- i. The primary building face shall be calculated using the width of the first story exterior wall as described.
- ii. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screening walls, fences, and the like.
- iii. Alcoves, entryways and extruding portions shall be measured through as though along a flat wall of a building.
- iv. Only the dominant facade shall be used for sign area calculations.
- v. The total sign area for the entire building may not exceed the total sign area allowed based on the dominant facade.

2) Lettering on canopy and awning signs is restricted to the side panels or front drop. Canopies shall be considered to be an integral part of the structure to which they are accessory. Signs may be attached to a canopy, but such structures shall not be considered as part of the wall area, and thus shall not warrant additional sign area.

3) Internally lit wall signs are limited to logo signs and individually-mounted channel lit lettering.

4) Wall signs must be located on the same wall as the primary building entrance.

- 1. All signs, including exempt and temporary signs, installed on the building shall be placed on the sign band. A sign band is the continuous portion of the building facade that is unbroken by doors or architectural building features, located between the upper and lower limits defined as follows:

- (a) Upper limit.

- i. The upper limit shall be the windowsill of the second story or in the absence of a windowsill or second story, 1/2 the distance between the roof eave or roofline immediately above the lintel, awning, canopy or window head of the first story.
- ii. In no case shall the any element of the sign be placed higher than 24 feet on the building, as measured from finished grade immediately below the sign.

- (b) Lower limit. The lower limit shall be 5 feet above finished grade on the first.

- g. Signs installed on the exterior building facade may be placed below the designated sign band when the Building Official can be assured that the public is satisfactorily protected from the sign and the sign is entirely over private property.

5) Signs located in the General Mixed Use Districts shall also comply with the additional locational standards in Section 1001.065 of the Zoning Ordinance.

(8) Temporary signs.

- a. Freestanding signs shall be set back no less than ten feet from the property line and shall not exceed 32 square feet in area. If building-mounted, these signs shall be flat wall signs and shall not project above the roof line. If ground-mounted, the top shall be no more than six feet above ground level. Such signs shall be allowed no more than 21 days prior to the event or function and must be removed within seven days after the

event or function. Such signs may be illuminated in accordance with restrictions set forth in this section.

- b. Temporary development sales signs shall be allowed upon approval of a final plat for a subdivision having 5 or more lots provided that:
 - 1. One sign shall be allowed per project or subdivision or one sign for each frontage to a major collector or arterial street, whichever is greater.
 - 2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.
 - 3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.
 - 4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

(9) Multiple occupancy commercial and industrial buildings. When a single principal building is devoted to 2 or more commercial or industrial principal uses, signs shall be allowed subject to review and approval of the Zoning Administrator based upon the following requirements:

- a. The maximum individual sign sizes for multiple occupancy buildings and individual businesses that may display a sign shall not exceed the maximum provisions in the same zoning district in Subd. 5(5) of this Section.

- b. Commercial retail, office, or mixed use multiple occupancy buildings may display a freestanding sign consistent with the applicable zoning district provisions in section Subd. 5(4) of this Section.

- c. Individual tenants of a multiple occupancy building within a commercial or industrial zoning district shall not display separate wall, canopy, or marquee signs unless the tenant's business has an exclusive exterior entrance and subject to the following requirements:

- 1. The number of individual wall, canopy, or marquee signs shall be limited to one per tenant space, except that not more than two signs may be displayed for the tenant of a corner suite or a suite that extends through the building thus having two exterior walls.

- 2. Each sign shall be limited to the maximum wall sign size permitted in the applicable zoning district provisions in Subd. 5(5) of this Section.

- 3. The sign shall be located only on the exterior wall of the tenant space to which the sign permit is issued, but are not required to face a public street.

- 4. A comprehensive sign plan is submitted that includes all of the following information:

- (a) A site plan to scale showing the location of lot lines, buildings, structures, parking areas, existing and proposed signs, and any other physical features of the area included within the proposed comprehensive sign plan.

- (b) Elevations to scale of buildings included within the comprehensive sign plan including the location of existing or proposed wall, canopy, or marquee signs.

(c) To scale plans for all existing and proposed signs of any type included within the comprehensive sign plan indicating area, dimensions, height, materials, colors, and means of illumination (if any).

d. Freestanding signs.

1. One freestanding sign shall be permitted for the entire development.

2. Freestanding signs on individual tax lots located within the development are not allowed.

3. The sign size must comply with the provisions in the same zoning district in Subd. 5(4) of this Section.

4. Additional freestanding sign.

(a) One additional freestanding sign may be permitted when there is a minimum of two access streets.

(b) The access streets shall be a minimum of 500 lineal feet in length each. The signs shall be separated by a minimum of 300 lineal feet.

5. The freestanding signs shall be either a monument or ground mounted type sign and shall be designed to blend with the architectural integrity of the center or complex.

e. No permit shall be issued for a new or replacement sign for an individual tenant except upon a determination by the Zoning Administrator that it is consistent with the approved comprehensive sign plan.

(10) Projecting signs. Projecting signs are permitted only in the General Mixed Use Districts, subject to the standards in Section 1001.065:

a. Location.

1. A projecting sign shall be placed only on the sign band of the first story facade, as regulated by Subd. 5(5).

2. The sign may not extend above the windowsill of a second story building or above the roof eave and/or roofline.

b. Clearance.

1. A minimum clearance of 8 feet between the bottom of the sign and the finished grade below the sign is required.

2. At alleys when no curb exists a minimum height of 14 feet between the bottom of the sign and the finished grade below the sign is required.

c. Projection from wall. Where a building is built to the property line for its entire frontage, the projecting sign may extend from the building over a public sidewalk a maximum of 42 inches and the sign structure shall be no wider than 36 inches.

d. Only one sign shall be allowed per building. The sign area shall be deducted from the sign area allowed on a building.

e. Supporting structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

(11) Off premises signs. Existing off premises signs erected prior to January 8, 2008 are an allowed use subject to the following requirements:

a. The sign is defined as a principal use of the property upon which a billboard is located. No approval shall be granted for a second principal use upon a property when one of the principal uses is an off-premises sign allowed by this Section.

b. Off premises signs shall be allowed only in non-residential districts, on property abutting a federal interstate highway right-of-way.

c. Off-premises signs shall be visible and oriented toward a federal interstate highway.

d. Off premises signs shall be freestanding and shall not be installed on any building.

e. All off premises advertising signs shall be spaced a minimum of 1,500 lineal feet apart.

f. The sign face shall not exceed 400 square feet or 14 feet in vertical height and 30 feet in horizontal length, whichever is less. Extensions beyond the sign face shall not be permitted.

g. The off premises sign shall not exceed 24 feet in height, as measured from finished grade, however, if a variance is granted the maximum height shall not exceed 35 feet.

h. External illumination shall comply with this Subdivision 7. Electrical wiring to the sign shall be located underground.

i. All off premises signs erected or moved shall be installed behind the legal setback line of each parcel of property as determined by the Zoning Code of the City of Dayton.

j. All structural supports for off premises signs shall be constructed of steel.

k. Only flat, single-faced or double-faced off premises signs shall be permitted.

l. Internally illuminated and/or animated off-premises signs are prohibited, except that an off-premises sign may be converted to a digital off-premises sign using LED or similar technology, subject to the following requirements:

1. The conversion of an off-premises sign to a digital off- premises sign shall be subject to the permitting requirements set forth in Subdivision 4, Permit Required.

2. Electrical wiring to the sign shall be located underground and concealed by the vertical support structure of the digital off-premises sign.

3. All digital off-premises signs shall be equipped with ambient light sensors. The brightness of a digital off-premises sign shall not be brighter than is necessary for clear and adequate visibility as determined by the Zoning Administrator and may not exceed the provisions of Subdivision 7(4).

4. The graphic display may not change or move more often than once every 8 seconds. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any motion, special effects, or active video.

5. At least 80% of all sides of the vertical support structure shall be concealed with architectural embellishments consisting of stone, brick, masonry panels, stucco, or synthetic material that has the appearance of stone, brick, or stucco.

6. A digital off-premises sign must be at least 1,500 feet from any residential districts and 4,000 feet from any other digital off-premises sign on the same right- of-way within the City of Dayton. Such signage must comply with the performance standards in Subd. 7(5).

7. A digital off-premises sign shall provide at least 14 feet of clearance, as measured from the finished grade to the lowest portion of the sign structure and shall not exceed 35 feet as measured from the finished grade to the highest portion of the sign structure.

8. The digital off-premises sign face may be upgraded to the existing square footage of the off-premises sign face square footage in existence prior to February 13, 2018, and is not to exceed industry standard of a height of 14 feet by 48 feet wide.

9. A digital off-premises sign shall allow for real-time public safety messages, including Amber Alerts, severe weather alerts, and emergency or public safety messages. Such messages shall be displayed upon the request of the City or other governmental entity when such entity determines that the rapid and effective dissemination of instructions and other essential information can significantly help reduce loss of life and property. The owner of the digital off-premises sign shall enter into a written agreement with the City to post public service messages in an amount not to exceed 5 hours of cumulative time in any one-month period.

Subd. 6 Prohibited Signs

(1) Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(2) Billboards and off-premises signs, except those established prior to January 8, 2008.

(3) Changeable copy signs, electronic, except as specifically allowed by this Chapter.

(4) Content classified as Obscene as defined by M.S. § 617.241.

(5) Electronic graphic display signs except as allowed by this Chapter.

(6) Flashing signs.

(7) Multi-vision signs.

(8) Portable signs.

(9) Roof signs.

(10) Rotating signs.

(11) Shimmering signs.

(12) Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures.

(13) Video display signs.

Subd. 7 General Requirements

(1) Except as provided for by this Section, all signs shall be defined as an accessory use.

(2) Design, construction, inspection and maintenance.

a. All signs and sign structures shall be properly maintained and shall be kept in a safe and orderly condition. All signs on a single building shall be repainted, repaired or replaced. The City may order special repair to be made in order that the appearance and safety of the sign may be maintained.

b. When electrical signs are installed, the installation shall be subject to the Minnesota State Electrical Code and overhead electrical wiring shall not be allowed.

c. Signs and sign structures not used for 12 consecutive months shall be removed.

d. All signs shall incorporate materials and colors which are compatible with the building upon which the sign is located. Compatible shall include, but is not limited to, materials that are consistent with the principal architectural features and colors of the buildings being identified. All signs shall be of good quality, and shall be designed to include a minimal amount of attractive and tasteful colors and design elements. The layout of the sign shall give the sign a neat and orderly appearance.

e. Except those signs listed in Subdivision 5, Permit Not Required, all signs shall be constructed of permanent materials and permanently affixed to a structural support in the ground or on the building.

f. No sign permitted by this Subsection shall, by reason of its location, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.

Subd. 8 Permit Required

(1) Except as allowed in Subdivision 5, no sign shall be erected, altered, improved, reconstructed, maintained or moved in the City without first securing a permit from the City:

a. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.

b. Application for an administrative permit shall be filed by the property owner or designated agent with the Zoning Administrator on forms to be provided by the City.

c. Application for a permit shall contain the following information unless waived by the City:

1. Names and addresses of the applicant, owners of the sign and lot.

2. The address at which any signs are to be erected.

3. The lot, block and addition at which the signs are to be erected and the street on which they are to front.

4. Type and size of sign (e.g., wall sign, pylon sign).

5. A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.

6. Plans, location and specifications and method of construction and attachment to the buildings or placement method of the ground.

7. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City.

8. Written consent of the owner or lessee of any site on which the sign is to be erected.

9. Any electrical permit required and issued for the sign.

10. A detailed description of any electronic or electrical components that are proposed to be added to the sign.

11. Other information to demonstrate compliance with this and all other ordinances of the City.

d. The application shall be accompanied by a fee as established by ordinance. Applications for amending administrative permits shall be accompanied by a fee as established by ordinance.

e. The Zoning Administrator shall notify the applicant, in writing, of an incomplete application within 15 days of the date of submission.

f. The Zoning Administrator shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, codes, ordinances, and applicable performance standards set forth in this Section within 60 days of submission of a complete application.

Subd. 9 Permit Not Required

The following signs shall not require a permit and are allowed in addition to those signs allowed by Subdivision 9 of this Section. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Section or any other law or ordinance regulating the same.

(1) The changing of the display surface on a painted or printed sign only. This exemption, however, shall apply only to poster replacement and/or on-site changes involving sign painting elsewhere then directly on a building.

(2) Signs 2 square feet or less in size.

(3) One sign per property in residential districts not to exceed 9 square feet.

(4) All noncommercial signs of any size posted in any number from August 1 in a state general election year until 10 days following general election, and 13 weeks prior to any special election until 10 days following the special election.

(5) Official signs.

(6) Two signs shall be allowed per street frontage when a building is offered for sale or lease, provided that:

a. Within the residential districts, no sign shall exceed 10 square feet in area and 6 feet in height for single-family, 2-family, townhouse, and quadraminium units; or 32 square feet in area or 8 feet in height for multi-family or institutional uses.

b. Within all other zoning districts and in those cases where a parcel of land exceeds 10 acres, regardless of its zoning, no sign shall exceed 32 square feet in area or 12 feet in height.

Subd. 10 Non-Conforming Signs

(1) Any sign legally existing at the time of the passage of this ordinance that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a legal non-conforming use or structure and may continue in such status until such time as it is either abandoned or removed by its owner, subject to Minnesota §462.357, as may be amended.

- (2) Except as otherwise provided herein, permanent signs in existence on the effective date of this Subsection, which are not in conformance with the provisions of this Subsection shall be regarded as non-conforming signs and regulated as provided for by Section 1001.22, Subd. 2.

Subd. 11 Enforcement and Penalties

(1) This Chapter shall be administered and enforced by the Zoning Administrator. The Zoning Administrator may institute in the name of the City appropriate actions or proceedings against a violator.

(2) Inspection. All signs for which a permit is required shall be subject to inspection by the Zoning Administrator.

(3) The City reserves the right to require the removal at the owner's expense of any sign when the requirements of this Section are not completely followed and adhered to, or if a sign is not properly maintained or falls into a state of disrepair. The City shall not have any obligation or liability to replace any sign when removed by the City.

(4) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this Chapter shall, upon conviction thereof, be fined or penalized not more than the maximum levels established by the state for misdemeanor offenses.

(Prior Code, § 1001.12, Subd. 2) (Am. Ord. 2004-01, passed 3-9-2004; Am. Ord. 2008-01, passed 1-8-2008; Am. Ord. 2011-13, passed 9-13-2011; Am. Ord. 2012-06, passed 4-24-2012; Am. Ord. 2014-04, passed 3-25-2014; Am. Ord. 2018-06, passed 2-13-2018)

EXISTING SIGN ORDINANCE

1001.20 SIGNS.

Subd. 1 Findings, Purpose and Effect

(1) Findings.

- a. Exterior signs have a substantial impact on the character and quality of the environment.
- b. Signs provide an important medium through which individuals may convey a variety of messages.
- c. Signs can create traffic hazards and aesthetic concerns, thereby threatening the public health, safety and welfare.
- d. The City's zoning regulations have, since their inception, included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the City has had a positive impact on traffic safety and the appearance of the community.

(2) *Purpose and intent.* It is not the purpose or intent of this Section to regulate the message displayed on any sign; nor is it the purpose or intent of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this Section is to:

- a. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
- b. Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
- c. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
- d. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the City.

(3) *Effect.* A sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of this section. The effect of this Section, as more specifically set forth herein, is to:

- a. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this Section.
- b. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Section.
- c. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- d. Provide for the administration and enforcement of the provisions of this Section.

Subd. 2 Substitution

The owner of any sign which is otherwise allowed by this Section may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made

without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

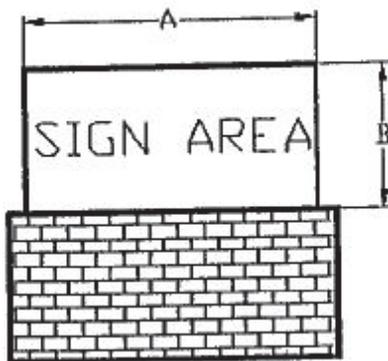
Subd. 3 Measurements

The following criteria shall be used in measuring a sign or building façade in order to determine compliance with this Subsection:

(1) *Measurements.*

a. *Sign area, freestanding signs.*

1. The sign area shall be the area of the largest face including its border area.
2. If it is of an irregular shape, the area shall be computed by means of the smallest rectangle that will encompass the extreme limits.



$$\text{TOTAL AREA} = (A)(B)$$



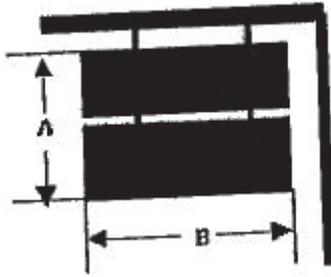
$$\text{TOTAL AREA} = (A)(B)$$

- b. *Sign area, cabinet.* The sign area is determined by calculating the measurements of the outer dimensions of the frame or cabinet surrounding the sign.



$$\text{TOTAL AREA} = (A)(B)$$

- c. *Multiple cabinets.* For freestanding and projecting signs that contain multiple cabinets on 1 structure, the modules together are counted as 1 sign face in order to compute the sign area.

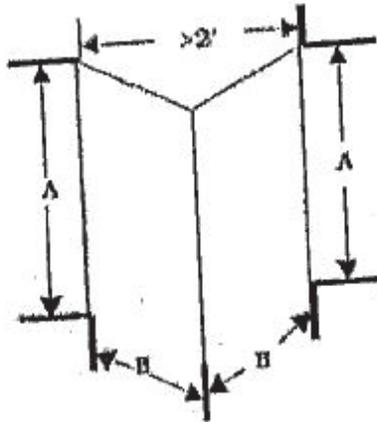


$$\text{TOTAL AREA} = (A)(B)$$

d. *Backed (double-faced) signs.*

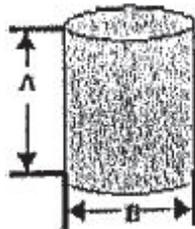
1. When 2 sign faces supported by the same sign structure are placed back-to-back, or the distance between each sign face does not exceed 2 feet at any point, the signs shall be regarded as a single sign.

2. The sign area shall be the area of the larger sign face.



$$\text{TOTAL AREA} = (A)(B)$$

e. *Round or 3-dimensional signs.* Where a sign consists of 1 or more 3-dimensional objects (i.e., balls, cubes, clusters or objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum visible surface area from any vantage point.



$$\text{TOTAL AREA} = (A)(B)$$

f. *Individual sign elements.*

1. When signs are constructed of individual elements, the area of all sign elements, which together convey a single, complete message, shall be considered as a single sign.

2. The sign area is determined by calculating the area of an imaginary rectangle drawn around the sign elements.

3. Sign elements will be measured as 1 unit when the distance between the elements is less than 2 times the dimension of each element.



$$\text{TOTAL AREA} = (A)(B) + (C)(D)$$

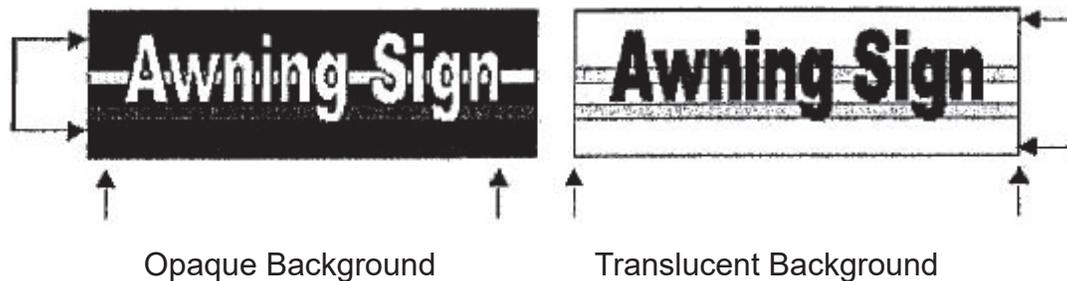
g. Supporting framework or bracing on sign mounted to the building that is clearly incidental to the display itself shall not be computed as sign area.

h. *Signs on awnings and canopies.*

1. When signs are incorporated into the awning, or canopy, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign copy including all translucent areas of an illuminated awning or canopy.

2. When the ends of awnings, and canopies are parallel and contain signs, only 1 side is counted in addition to the sign on the front, however, when a canopy is a freestanding structure, all sign faces shall be calculated.

3. Sign copy on a canopy shall not be greater than 25% of the canopy area.



(2) *Height of freestanding signs.*

a. The overall height of a freestanding sign or sign structure is measured from the average finished grade at the base of the sign to the highest points of the sign structure.

b. No berming or alteration of existing grade shall be permitted to increase the height of any signs.

(3) *Clearances.* Clearances are measured from the finished grade directly below the sign to the bottom of the sign structure.

(4) *Measurement of dominant facade.*

a. The portion of a principal buildings dominant facade shall be calculated using the width of the first story exterior wall as described.

b. Exterior wall dimensions shall be measured at the base of the ground floor, excluding screening walls, fences, and the like.

- c. Alcoves, entryways and extruding portions shall be measured through as though along a flat wall of a building.
- d. Only the dominant facade shall be used for sign area calculations.
- e. The total sign area for the entire building may not exceed the total sign area allowed based on the dominant facade.

(5) *Measurement of street frontage.* Street frontage shall be measured along the property line abutting the street right-of-way where access to the site is obtained.

Subd. 4 Permit Required

(1) Except as allowed in Subdivision 5, no sign shall be erected, altered, improved, reconstructed, maintained or moved in the City without first securing a permit from the City:

- a. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.
- b. Application for an administrative permit shall be filed by the property owner or designated agent with the Zoning Administrator on forms to be provided by the City.
- c. Application for a permit shall contain the following information unless waived by the City:
 - 1. Names and addresses of the applicant, owners of the sign and lot.
 - 2. The address at which any signs are to be erected.
 - 3. The lot, block and addition at which the signs are to be erected and the street on which they are to front.
 - 4. Type and size of sign (e.g., wall sign, pylon sign).
 - 5. A site plan to scale showing the location of lot lines, building structures, parking areas, existing and proposed signs and any other physical features.
 - 6. Plans, location and specifications and method of construction and attachment to the buildings or placement method of the ground.
 - 7. Copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws and ordinances of the City.
 - 8. Written consent of the owner or lessee of any site on which the sign is to be erected.
 - 9. Any electrical permit required and issued for the sign.
 - 10. A detailed description of any electronic or electrical components that are proposed to be added to the sign.
 - 11. Other information to demonstrate compliance with this and all other ordinances of the City.
- d. The application shall be accompanied by a fee as established by ordinance. Applications for amending administrative permits shall be accompanied by a fee as established by ordinance.
- e. The Zoning Administrator shall notify the applicant, in writing, of an incomplete application within 15 days of the date of submission.
- f. The Zoning Administrator shall review the application and related materials and shall determine whether the proposal is in compliance with all applicable evaluation criteria, codes, ordinances, and

applicable performance standards set forth in this Section within 60 days of submission of a complete application.

Subd. 5 Permit Not Required

The following signs shall not require a permit and are allowed in addition to those signs allowed by Subdivision 9 of this Section. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Section or any other law or ordinance regulating the same.

(1) The changing of the display surface on a painted or printed sign only. This exemption, however, shall apply only to poster replacement and/or on-site changes involving sign painting elsewhere than directly on a building.

(2) Signs 2 square feet or less in size.

(3) One sign per property in residential districts not to exceed 9 square feet.

(4) All noncommercial signs of any size posted in any number from August 1 in a state general election year until 10 days following general election, and 13 weeks prior to any special election until 10 days following the special election.

(5) Official signs.

(6) Two signs shall be allowed per street frontage when a building is offered for sale or lease, provided that:

a. Within the residential districts, no sign shall exceed 10 square feet in area and 6 feet in height for single-family, 2-family, townhouse, and quadraminium units; or 32 square feet in area or 8 feet in height for multi-family or institutional uses.

b. Within all other zoning districts and in those cases where a parcel of land exceeds 10 acres, regardless of its zoning, no sign shall exceed 32 square feet in area or 12 feet in height.

Subd. 6 Non-Conforming Signs

Except as otherwise provided herein, permanent signs in existence on the effective date of this Subsection, which are not in conformance with the provisions of this Subsection shall be regarded as non-conforming signs and regulated as provided for by Section 1001.22, Subd. 2.

Subd. 7 General Requirements

(1) Except as provided for by this Section, all signs shall be defined as an accessory use.

(2) *Design, construction, inspection and maintenance.*

a. All signs and sign structures shall be properly maintained and shall be kept in a safe and orderly condition. All signs on a single building shall be repainted, repaired or replaced.

b. When electrical signs are installed, the installation shall be subject to the Minnesota State Electrical Code and overhead electrical wiring shall not be allowed.

c. Signs and sign structures not used for 12 consecutive months shall be removed.

d. All signs shall incorporate materials and colors which are compatible with the building upon which the sign is located. Compatible shall include, but is not limited to, materials that are consistent with the principal architectural features and colors of the buildings being identified. All signs shall be of good quality, and shall be designed to include a minimal amount of attractive and tasteful colors and design elements. The layout of the sign shall give the sign a neat and orderly appearance.

e. Except those signs listed in Subdivision 5, Permit Not Required, all signs shall be constructed of permanent materials and permanently affixed to a structural support in the ground or on the building.

f. No sign permitted by this Subsection shall, by reason of its location, color or intensity, create a hazard to the safe, efficient movement of vehicular or pedestrian traffic.

g. Window signs shall not exceed 25% of the total window area on any building facade.

h. Signs for motor fuel facilities shall be regulated by the sign provisions for the zoning district in which the facility is located, except that within a freestanding sign, an area not to exceed 16 square feet shall be allowed for continuous display (no flashing, scrolling or other animation) of electronic or non-electronic changeable copy identifying current fuel prices in accordance with M.S. § 239.751.

(3) *Placement.*

a. All freestanding signs shall be setback a minimum of 10 feet from property lines and shall not be located within drainage and utility easements.

b. No sign shall be attached to or shall hang from any building until the City has approved all necessary wall attachments.

c. No berming or other device shall be permitted to increase the elevation of any freestanding sign above the height allowed by the Subsection herein.

d. No sign shall extend over a sidewalk, walkway, or other space accessible to pedestrians, unless the bottom of the sign structure has a minimum 8 foot clearance as measured from the bottom of the sign structure to the ground directly below the sign. Exceptions are prohibited.

e. Building wall signs.

1. All signs, including exempt and temporary signs, installed on the building shall be placed on the sign band. A sign band is the continuous portion of the building facade that is unbroken by doors or architectural building features, located between the upper and lower limits defined as follows:

(a) Upper limit.

i. The upper limit shall be the windowsill of the second story or in the absence of a windowsill or second story, 1/2 the distance between the roof eave or roofline immediately above the lintel, awning, canopy or window head of the first story.

ii. In no case shall the any element of the sign be placed higher than 24 feet on the building, as measured from finished grade immediately below the sign.

(b) Lower limit. The lower limit shall be 5 feet above finished grade on the first.

f. Signs installed on the exterior building facade may be placed below the designated sign band when the Building Official can be assured that the public is satisfactorily protected from the sign and the sign is entirely over private property.

g. Clear view triangle.

1. No sign or sign structures taller than 3 feet shall be located within a clear view triangle area.

2. On a corner lot, the clear view triangle area is formed by the curb lines or edge of street extended and the line connecting 55 feet from the intersection of the street edges or curb lines extended.

(4) *Sign illumination and brightness.*

a. The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding right-of-way and properties.

b. The following standards shall apply to all illuminated signs:

1. No sign or light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public. Colored lights or colored sign faces shall not be used at a location or in a manner so as to be confused or construed as traffic control devices.

2. External light sources shall be directed and shielded to limit direct illumination of any object other than the sign.

3. Illuminated signs and signs with exposed light sources are prohibited in all residential zoned properties, unless as allowed by a conditional use permit.

4. Signs shall be illuminated only during business hours.

5. Signs shall not have blinking, flashing, or fluttering lights, or other illuminating devices that have a changing light intensity, brightness or color.

6. No sign may be brighter than is necessary for clear and adequate visibility.

7. Signs using an LED (light emitting diode) light source shall not exceed a luminance of 500 candela per square meter (nits) between sunset and sunrise (night), and shall not exceed a luminance level of 5,000 candela per square meter between sunrise and sunset (day).

8. Signs using fluorescent, neon, or incandescent light sources shall not exceed 12 watts per square foot of sign surface area.

9. Illumination which mimics movement by means of lighting arrangement, lighting source, changes in either color or intensity of lighting or other devices shall not be permitted.

10. Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it does not comply with the standards of this section.

c. All signs which are illuminated shall be equipped with a mechanism that automatically adjusts the brightness to ambient lighting conditions (e.g. dusk, dawn, etc.) to ensure that the sign does not exceed an intensity of .3 foot-candle above ambient light levels as measured from 100 feet from the sign's face.

(5) *Temporary signs.*

a. The use of banners, pennants and similar devices shall require a permit valid for no more than 10 consecutive days. No more than 3 permits per business shall be granted during any 12-month period. The area of a banner, pennant or similar device shall not exceed the area allowances for the specific zoning district in which the sign is located. Not more than 1 banner, pennant or similar device shall be displayed upon a property at any one time.

b. Portable signs may not exceed 32 square feet and may not be illuminated with any flashing device. Use of a portable sign shall require a permit. The permit shall be valid for no more than 10 consecutive days. No more than 6 permits per property shall be granted during any 12-month period.

(6) *Multiple occupancy commercial and industrial buildings.* When a single principal building is devoted to 2 or more commercial or industrial principal uses, signs shall be allowed subject to review and approval of the Zoning Administrator based upon the following requirements:

a. The maximum individual sign sizes for multiple occupancy buildings and individual businesses that may display a sign shall not exceed the maximum provisions in the same zoning district in

Subdivision 9 of this Section.

b. Commercial retail, office, or mixed use multiple occupancy buildings may display a freestanding sign consistent with the applicable zoning district provisions in section Subdivision 9 of this Section.

c. Individual tenants of a multiple occupancy building within a commercial or industrial zoning district shall not display separate wall, canopy, or marquee signs unless the tenant's business has an exclusive exterior entrance and subject to the following requirements:

1. The number of individual wall, canopy, or marquee signs shall be limited to 1 per tenant space, except that not more than 2 signs may be displayed for the tenant of a corner suite or a suite that extends through the building thus having 2 exterior walls.

2. Each sign shall be limited to the maximum wall sign size permitted in the applicable zoning district provisions in Subdivision 9 of this Section.

3. The sign shall be located only on the exterior wall of the tenant space to which the sign permit is issued, but are not required to face a public street.

4. A comprehensive sign plan is submitted that includes all of the following information:

(a) A site plan to scale showing the location of lot lines, buildings, structures, parking areas, existing and proposed signs, and any other physical features of the area included within the proposed comprehensive sign plan.

(b) Elevations to scale of buildings included within the comprehensive sign plan including the location of existing or proposed wall, canopy, or marquee signs.

(c) To scale plans for all existing and proposed signs of any type included within the comprehensive sign plan indicating area, dimensions, height, materials, colors, and means of illumination (if any).

d. Freestanding signs.

1. One freestanding sign shall be permitted for the entire development.

2. Freestanding signs on individual tax lots located within the development are not allowed.

3. The sign may be a maximum of 11 feet in height and a maximum of 80 square feet in area.

4. Additional freestanding sign.

(a) One additional freestanding sign may be permitted when there is a minimum of 2 access streets.

(b) The access streets shall be a minimum of 500 lineal feet in length each. The signs shall be separated by a minimum of 300 lineal feet.

5. The freestanding signs shall be either a monument or ground mounted type sign and shall be designed to blend with the architectural integrity of the center or complex.

e. No permit shall be issued for a new or replacement sign for an individual tenant except upon a determination by the Zoning Administrator that it is consistent with the approved comprehensive sign plan.

(7) *Projecting signs.* Where allowed by Subdivision 9, a projecting sign shall comply with the following requirements:

a. *Location.*

1. A projecting sign shall be placed only on the sign band of the first story facade, as regulated by Subdivision 7.

2. The sign may not extend above the windowsill of a second story building or above the roof eave and/or roofline.

b. *Clearance.*

1. A minimum clearance of 8 feet between the bottom of the sign and the finished grade below the sign is required.

2. At alleys when no curb exists a minimum height of 14 feet between the bottom of the sign and the finished grade below the sign is required.

c. *Projection from wall.* Where a building is built to the property line for its entire frontage, the projecting sign may extend from the building over a public sidewalk a maximum of 42 inches and the sign structure shall be no wider than 36 inches.

d. *Maximum number, area and height.*

1. Only 1 sign shall be allowed per building.

2. The sign area shall not exceed 20 square feet and shall be deducted from the sign area allowed on a building.

e. *Supporting structure.* Sign supports and brackets shall be compatible with the design and scale of the sign.

(8) *Off premises signs.* Existing off premises signs erected prior to January 8, 2008 are an allowed use subject to the following requirements:

a. The sign is defined as a principal use of the property upon which a billboard is located. No approval shall be granted for a second principal use upon a property when one of the principal uses is an off-premises sign allowed by this Section.

b. Off premises signs shall be allowed only in non-residential districts, on property abutting a federal interstate highway right-of-way.

c. Off-premises signs shall be visible and oriented toward a federal interstate highway.

d. Off premises signs shall be freestanding and shall not be installed on any building.

e. All off premises advertising signs shall be spaced a minimum of 1,500 lineal feet apart.

f. The sign face shall not exceed 400 square feet or 14 feet in vertical height and 30 feet in horizontal length, whichever is less. Extensions beyond the sign face shall not be permitted.

g. The off premises sign shall not exceed 24 feet in height, as measured from finished grade, however, if a variance is granted the maximum height shall not exceed 35 feet.

h. External illumination shall comply with this Subdivision 7. Electrical wiring to the sign shall be located underground.

i. All off premises signs erected or moved shall be installed behind the legal setback line of each parcel of property as determined by the Zoning Code of the City of Dayton.

j. All structural supports for off premises signs shall be constructed of steel.

k. Only flat, single-faced or double-faced off premises signs shall be permitted.

I. Internally illuminated and/or animated off-premises signs are prohibited, except that an off-premises sign may be converted to a digital off-premises sign using LED or similar technology, subject to the following requirements:

1. The conversion of an off-premises sign to a digital off-premises sign shall be subject to the permitting requirements set forth in Subdivision 4, Permit Required.
2. Electrical wiring to the sign shall be located underground and concealed by the vertical support structure of the digital off-premises sign.
3. All digital off-premises signs shall be equipped with ambient light sensors. The brightness of a digital off-premises sign shall not be brighter than is necessary for clear and adequate visibility as determined by the Zoning Administrator and may not exceed the provisions of Subdivision 7(4).
4. The graphic display may not change or move more often than once every 8 seconds. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any motion, special effects, or active video.
5. At least 80% of all sides of the vertical support structure shall be concealed with architectural embellishments consisting of stone, brick, masonry panels, stucco, or synthetic material that has the appearance of stone, brick, or stucco.
6. A digital off-premises sign must be at least 1,500 feet from any residential districts and 4,000 feet from any other digital off-premises sign on the same right-of-way within the City of Dayton.
7. A digital off-premises sign shall provide at least 14 feet of clearance, as measured from the finished grade to the lowest portion of the sign structure and shall not exceed 35 feet as measured from the finished grade to the highest portion of the sign structure.
8. The digital off-premises sign face may be upgraded to the existing square footage of the off-premises sign face square footage in existence prior to February 13, 2018, and is not to exceed industry standard of a height of 14 feet by 48 feet wide.
9. A digital off-premises sign shall allow for real-time public safety messages, including Amber Alerts, severe weather alerts, and emergency or public safety messages. Such messages shall be displayed upon the request of the City or other governmental entity when such entity determines that the rapid and effective dissemination of instructions and other essential information can significantly help reduce loss of life and property. The owner of the digital off-premises sign shall enter into a written agreement with the City to post public service messages in an amount not to exceed 5 hours of cumulative time in any one-month period.

Subd. 8 Prohibited Signs

- (1) Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signs, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.
- (2) All signs larger than 400 square feet except in the Public Recreation District.
- (3) Billboards and off-premises signs, except those established prior to January 8, 2008.
- (4) Changeable copy signs, electronic, except as specifically allowed by this Chapter.
- (5) Content classified as **Obscene** as defined by M.S. § 617.241.
- (6) Electronic graphic display signs except as allowed by this Chapter.
- (7) Flashing signs.

- (8) Multi-vision signs.
- (9) Portable signs.
- (10) Roof signs.
- (11) Rotating signs.
- (12) Shimmering signs.
- (13) Signs painted, attached or in any other manner affixed to trees or similar natural surfaces, or attached to utility poles, bridges, towers, or similar public structures.
- (14) Video display signs.
- (15) Dynamic display signs except where off-premises signs established prior to January 8, 2008 are updated to digital off-premises signs as allowed in Subd. 7(8).

Subd. 9 District Regulations

In addition to the signs allowed by Subdivision 5 of this Section, the following signs shall be allowed within the specific Zoning Districts.

- (1) Within the Agricultural and Residential Districts, the following additional regulations apply:
 - a. One freestanding sign shall be allowed provided that:
 - 1. The area of the sign shall not exceed 32 square feet.
 - 2. Freestanding signs shall be limited to a maximum height of 6 feet.
 - 3. Signs shall be at least 10 feet from all property lines.
 - b. In addition to the sign allowed by Subd. 9(1) of this Subsection, signs shall be allowed for a subdivision having not less than 5 lots or dwelling units at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:
 - 1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.
 - 2. The area of each sign shall not exceed 32 square feet.
 - 3. Such signs shall be limited to a maximum height of 6 feet.
 - 4. Except for those signs established under the provisions of Subd. 9(1)b.5, the sign shall not be illuminated.
 - 5. For sign(s) requiring regular long-term maintenance, the sign(s) shall be located on separate or common space outlots of sufficient size and area to accommodate said structure:
 - (a) An association or other form of deed restriction and ownership deemed acceptable by the Zoning Administrator and involving all the properties within the subdivision shall be required, which shall own and be responsible for the upkeep, perpetual maintenance, taxes, insurance, utilities and other costs associated with the sign(s) and the outlot upon which it is located.
 - (b) The association rules or by-laws, or similar legal document, shall specify how the aforementioned sign responsibilities will be delegated and paid for. Such legal document shall be subject to the review and approval of the City Attorney.
 - (c) Separate or common space outlots for signs shall be considered and planned for at the time of preliminary plat application and be included in the final plat. The subdivision development

contract between the City and the developer shall specify the designated use of the outlot(s), its ownership and the respective responsibilities regarding the outlot.

6. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject approval by the Zoning Administrator.

7. The design and construction of area identification signs shall be done with masonry materials (brick, stone, etc) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. Area identification signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject approval by the Zoning Administrator.

c. Additional signs shall be allowed upon approval of a final plat for a subdivision having 5 or more lots provided that:

1. One (1) sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.

2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.

3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.

4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

(2) Within the GMU-3, General Mixed Use-Historic Village District/R-O, Old Village Residential District - V-M, Village Mixed Use District, the following additional regulations apply:

a. One wall, canopy or marquee sign (one per tenant) shall be allowed provided that:

1. The area of the sign shall not exceed 10% of the wall area, up to a maximum of 64 square feet.

b. One temporary sign up to 32 square feet in area as regulated by Subdivision 9(4) of this Section.

c. In addition to the sign area allowances established by a. and b. above, a sign shall be allowed for a subdivision having not less than 3 lots or principal buildings at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:

1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.

2. The area of each sign shall not exceed 32 square feet.

3. Freestanding signs shall be limited to a maximum height of 8 feet.

4. The sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, the outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.

5. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans

shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

6. The design and construction of the sign shall be done with masonry materials (brick, stone, etc) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

d. Additional signs shall be allowed upon approval of a final plat for a subdivision having not less than 3 lots or approval of site and building plans for 1 lot by the Zoning Administrator provided that:

1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.

2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.

3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.

4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

(3) Within the B-1, Office Business District, the following additional regulations apply:

a. One freestanding sign shall be allowed provided that:

1. The area of the sign shall not exceed 64 square feet.

2. Freestanding signs shall be limited to a maximum height of 8 feet.

3. Signs shall be at least 10 feet from all property lines.

b. One wall, canopy or marquee sign (one per tenant) shall be allowed provided that:

1. The area of the sign shall not exceed 10% of the wall area, up to a maximum of 80 square feet.

c. One temporary sign as regulated by Subdivision 7 of this Section.

d. In addition to the sign area allowances established by a., b. and c. of this Subsection, a sign shall be allowed for a subdivision having not less than 3 lots or principal buildings at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:

1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.

2. The area of each sign shall not exceed 64 square feet.

3. Freestanding signs shall be limited to a maximum height of 10 feet.

4. The sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, the outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.

5. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans

shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

6. The design and construction of the sign shall be done with masonry materials (brick, stone, etc) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

e. Additional signs shall be allowed upon approval of a final plat for a subdivision having not less than 3 lots or approval of site and building plans for 1 lot by the Zoning Administrator provided that:

1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.
2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.
3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.
4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

f. In addition to the freestanding sign allowed by (3)a of this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

1. Not more than 1 sign is allowed.
2. The sign shall be single sided with an area not to exceed 50 square feet.
3. The height of the sign shall not exceed 6 feet including its base or pole measured from grade to the top of the structure.
4. The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

(4) Within the B-2, Neighborhood Commercial District, the following regulations apply:

- a. One freestanding sign shall be allowed provided that:
 1. The area of the sign shall not exceed 64 square feet.
 2. Freestanding signs shall be limited to a maximum height of 10 feet.
- b. One wall, canopy or marquee sign (one per tenant) shall be allowed provided that:
 1. The area of the sign shall not exceed 10% of the wall area, up to a maximum of 80 square feet.
- c. One temporary sign up to 32 square feet as regulated by Subdivision 9(4) of this Section.
- d. In addition to the sign area allowances established by a., b. and c. of this Subsection, a sign shall be allowed for a subdivision having not less than 3 lots or principal buildings at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:
 1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.

2. The area of each sign shall not exceed 64 square feet.
3. Freestanding signs shall be limited to a maximum height of 10 feet.
4. The sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, these outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.

5. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

6. The design and construction of the sign shall be done with masonry materials (brick, stone, etc) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

e. Additional signs shall be allowed upon approval of a final plat for a subdivision having not less than 3 lots or approval of site and building plans for 1 lot by the Zoning Administrator provided that:

1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.
2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.
3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.
4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

(5) Within the B-3, General Business District and B-P, Business Park District, the following additional regulations apply:

a. One freestanding sign shall be allowed provided that:

1. The area of the sign shall not exceed 64 square feet.
2. Freestanding signs shall be limited to a maximum height of 11 feet.

b. One wall, canopy or marquee sign (one per tenant or two per tenant if building fronts on two street right-of-ways) shall be allowed provided that:

1. The area of the sign shall not exceed 10% of the wall area, up to a maximum of 100 square feet.
2. Signs shall be placed no higher than 24 feet above grade.

c. One temporary sign up to 32 square feet as regulated by Subdivision 9(4) of this Section.

d. In addition to the sign area allowances established by a., b. and c. of this Subsection, a sign shall be allowed for a subdivision having not less than 3 lots or principal buildings at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:

1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.
2. The area of each sign shall not exceed 64 square feet.
3. Freestanding signs shall be limited to a maximum height of 10 feet.
4. The sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, these outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.

5. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

6. The design and construction of the sign shall be done with the masonry materials (brick, stone, etc) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

e. Additional signs shall be allowed upon approval of a final plat for a subdivision having not less than 3 lots or approval of site and building plans for 1 lot by the Zoning Administrator provided that:

1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.
2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.
3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.
4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

f. In addition to the freestanding sign allowed by (5)a of this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

1. Not more than 1 sign is allowed.
2. The sign shall be single sided with an area not to exceed 50 square feet.
3. The height of the sign shall not exceed 6 feet including its base or pole measured from grade to the top of the structure.
4. The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

(6) Within the B-4, Commercial/Industrial District, 1-1, Light Industrial District and I-2, Heavy Industrial District, the following regulations apply:

a. One freestanding sign shall be allowed provided that:

1. The area of the sign shall not exceed 64 square feet.

2. Freestanding signs shall be limited to a maximum height of 8 feet.

b. One wall, canopy or marquee sign (1 per tenant or 2 per tenant if building fronts on 2 street right-of-ways) shall be allowed provided that:

1. The area of the sign shall not exceed 10% of the wall area, up to a maximum of 100 square feet.

2. Signs shall be placed below eave of building.

c. Off-premises signs as regulated in Subdivision 7 of this Section.

d. One temporary sign up to 32 square feet as regulated by Subdivision 7 of this Section.

e. In addition to the sign area allowances established by a., b. and c. of this Subsection, a sign shall be allowed for a subdivision having not less than 3 lots or principal buildings at its entrance from a major collector or arterial street defined by the Dayton Comprehensive Plan provided that:

1. Not more than 1 sign shall be allowed at each entrance from a major collector or arterial street.

2. The area of each sign shall not exceed 64 square feet.

3. Freestanding signs shall be limited to a maximum height of 10 feet.

4. The sign(s) shall be located to accommodate said sign and related landscaping to meet all setback requirements. If the sign(s) are to be located on outlots, these outlots shall be designated on the preliminary plat and detailed plans for the area identification signs shall be submitted with the final plat.

5. The area around the sign shall be landscaped in such a manner to accent and enhance the sign while remaining sensitive to the natural features of the site. Detailed site and landscape plans shall be included with each sign permit application and shall be subject to review and approval of the Zoning Administrator.

6. The design and construction of the sign shall be done with masonry materials (brick, stone, etc.) to keep maintenance and upkeep costs to a minimum and to minimize the potential for vandalism. The signs are to be aesthetically pleasing when designed and constructed. The sign shall be compatible with nearby structures in the area. Detailed construction plans and a materials list shall be included with each sign permit application and shall be subject to the review and approval of the Zoning Administrator.

f. Additional signs shall be allowed upon approval of a final plat for a subdivision having not less than 3 lots or approval of site and building plans for 1 lot by the Zoning Administrator provided that:

1. One sign shall be allowed per project or subdivision or 1 sign for each frontage to a major collector or arterial street, whichever is greater.

2. The area of the sign shall not exceed 32 square feet for parcels less than 4 acres and not to exceed 64 square feet for parcels 4 acres or greater.

3. Freestanding signs shall be limited to a maximum height of 8 feet for parcels less than 4 acres and a maximum height of 10 feet for parcels 4 acres or greater.

4. The sign shall not be displayed for a period to exceed 36 months from the date a permit is issued for the sign or until building permits have been issued for 85% of the lots or dwelling units within the subdivision, whichever is less restrictive.

g. In addition to the freestanding sign allowed by (7)a of this Subsection, convenience food uses with drive through facilities may display additional signs, provided that:

1. Not more than 1 sign is allowed.
2. The sign shall be single sided with an area not to exceed 50 square feet.
3. The height of the sign shall not exceed 6 feet including its base or pole measured from grade to the top of the structure.
4. The sign shall not encroach into any principal building setback and shall be located directly adjacent to the drive through aisle and oriented in such a manner so that the sign provides information to the drive through patrons only and does not impair site visibility or obstruct circulation.

(7) Within the Public Recreation District, the following additional regulations apply:

- a. *Freestanding sign.* The area of a freestanding sign may not exceed 64 square feet each side with a maximum height of 11 feet and may include electronic changeable copy.
- b. *Wall, canopy, or marquee signs.* No 1 sign shall exceed 64 square feet.
- c. Electronic readerboard space shall be allowed separately or in combination on a sign not to exceed the allowable sign area. The message displayed on electronic reader board signs shall be depicted in one statement and not a continuing sentence or flow of information.

Subd. 10 Enforcement and Penalties

(1) This Chapter shall be administered and enforced by the Zoning Administrator. The Zoning Administrator may institute in the name of the City appropriate actions or proceedings against a violator.

(2) *Inspection.* All signs for which a permit is required shall be subject to inspection by the Zoning Administrator.

(3) The City reserves the right to require the removal at the owner's expense of any sign when the requirements of this Section are not completely followed and adhered to, or if a sign is not properly maintained or falls into a state of disrepair. The City shall not have any obligation or liability to replace any sign when removed by the City.

(4) Any person who violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any of the provisions of this Chapter shall, upon conviction thereof, be fined or penalized not more than the maximum levels established by the state for misdemeanor offenses.

Subd. 11 Severability

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of this Sign Ordinance. The City Council hereby declares that it would have adopted the Sign Ordinance in each section, subsection, sentence, or phrase thereof, irrespective of the fact that any 1 or more sections, subsections, sentences, clauses, or phrases be declared invalid.

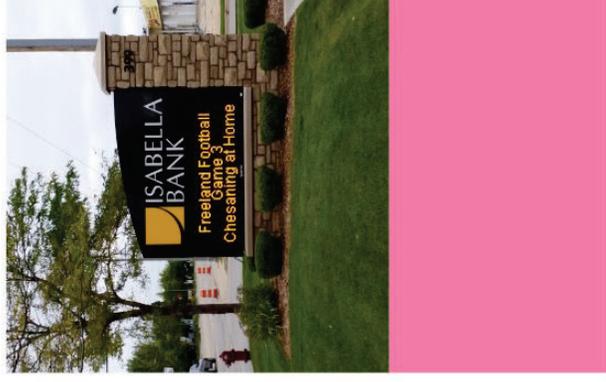
(Prior Code, § 1001.12, Subd. 2) (Am. Ord. 2004-01, passed 3-9-2004; Am. Ord. 2008-01, passed 1-8-2008; Am. Ord. 2011-13, passed 9-13-2011; Am. Ord. 2012-06, passed 4-24-2012; Am. Ord. 2014-04, passed 3-25-2014; Am. Ord. 2018-06, passed 2-13-2018)

Dynamic Sign Visual Preference Survey



What type of Signs desired?

100%



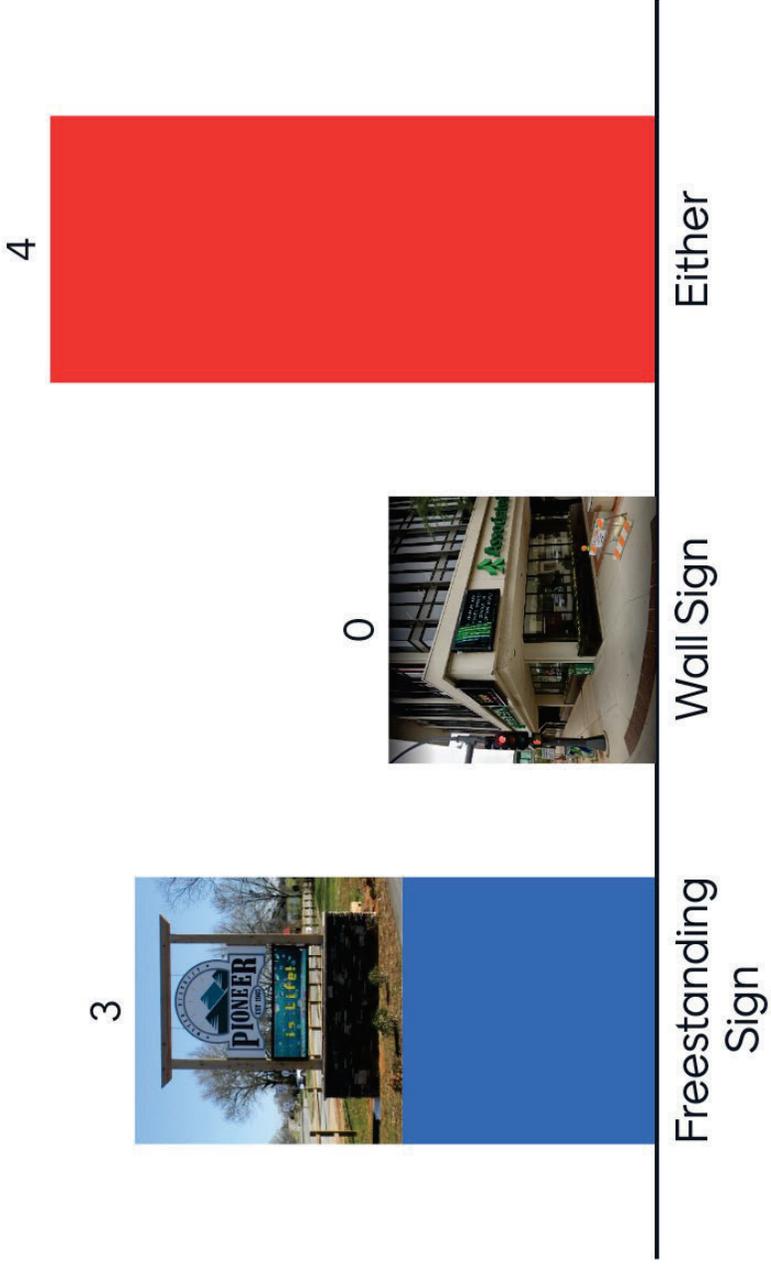
Dynamic Sign

0%



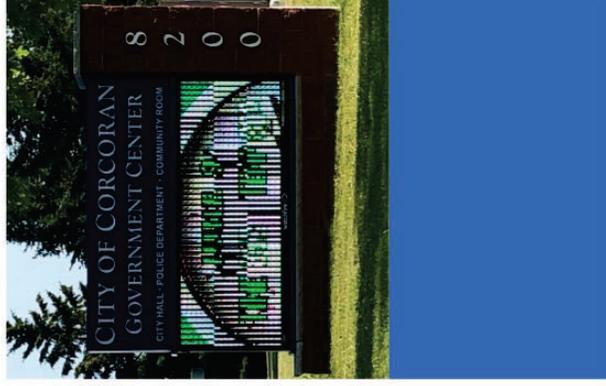
Changeable Message Sign

Where should dynamic signs be allowed?



Preferred Style

6



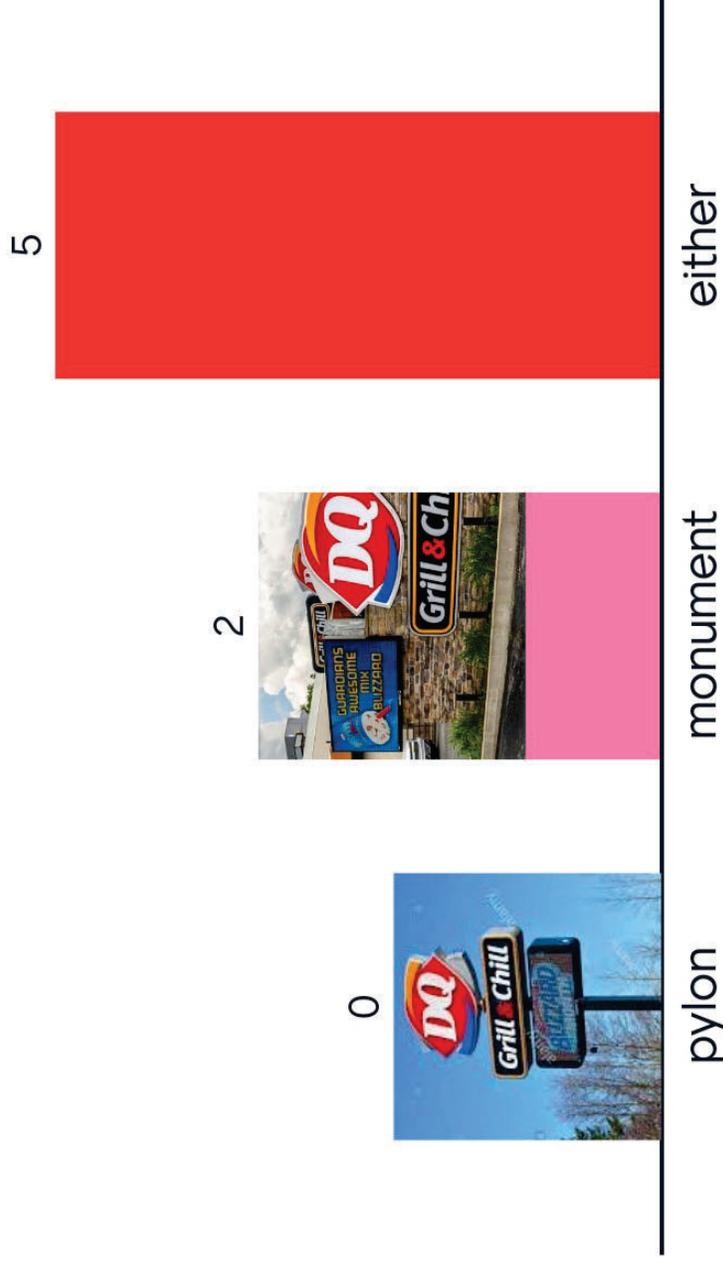
monument sign

1



pylon sign

Freestanding Sign options



freestanding sign

4



monument base

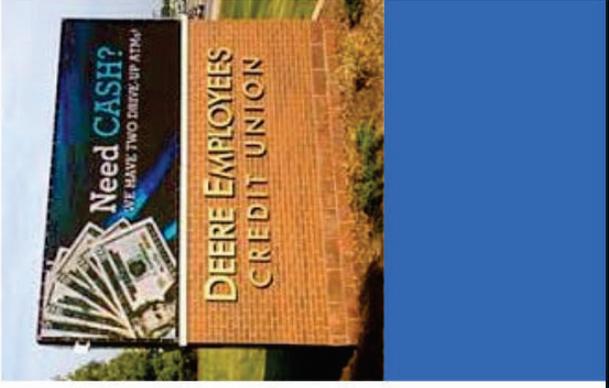
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pylon base

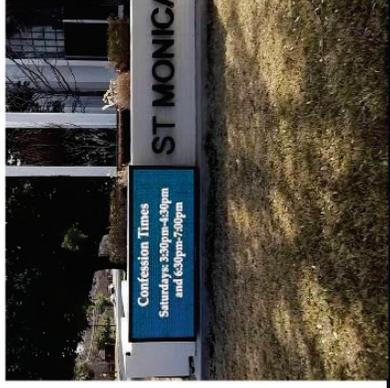
Monument signs

7



monument 1

0



monument 2

monument signs

6



full EMC

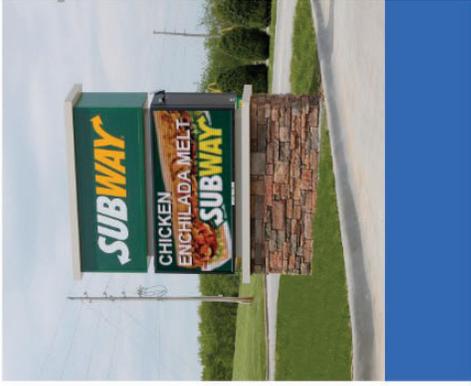
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Partial EMC

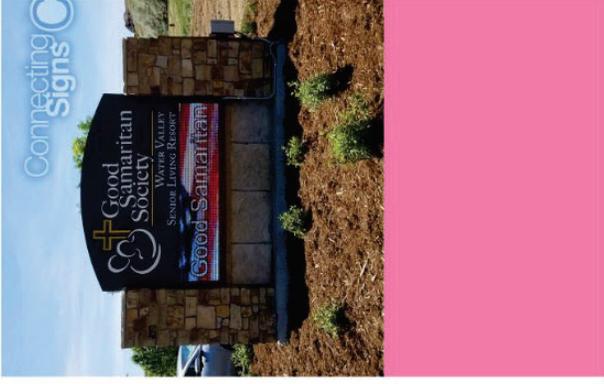
Monument signs

2



taller monument

5



low monument

Freestanding signs

5



Option 1

2



Option 2

freestanding signs

6



1

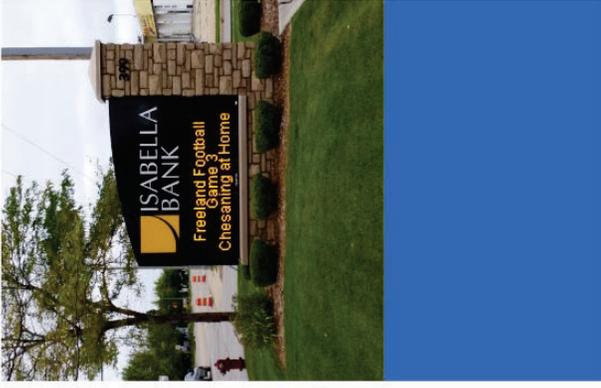


Option 1

Option 2

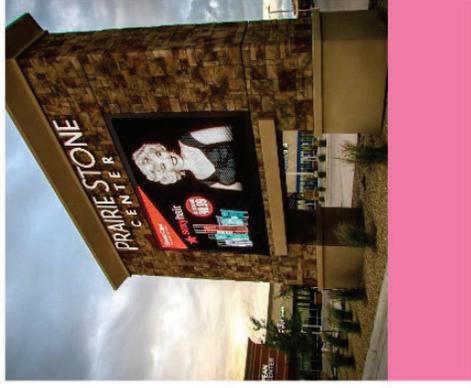
Freestanding signs

5



low ,monument

2



double pylon

Freestanding signs

5



monument

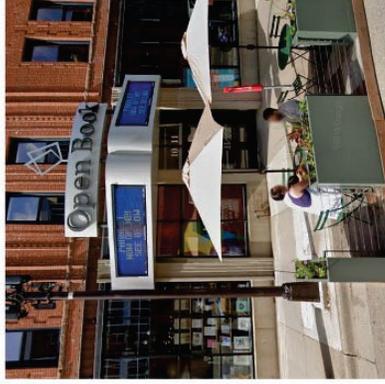
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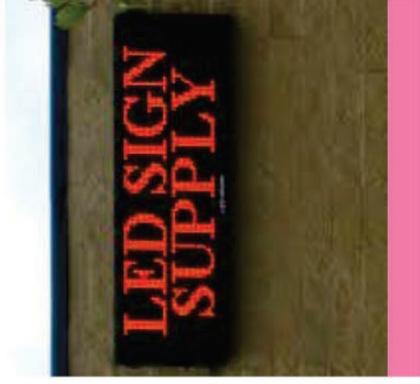
monument

Wall Signs

6



1



Option 1

Option 2





Do you want animation? (dancing bears, moving letters)



2



Yes



2



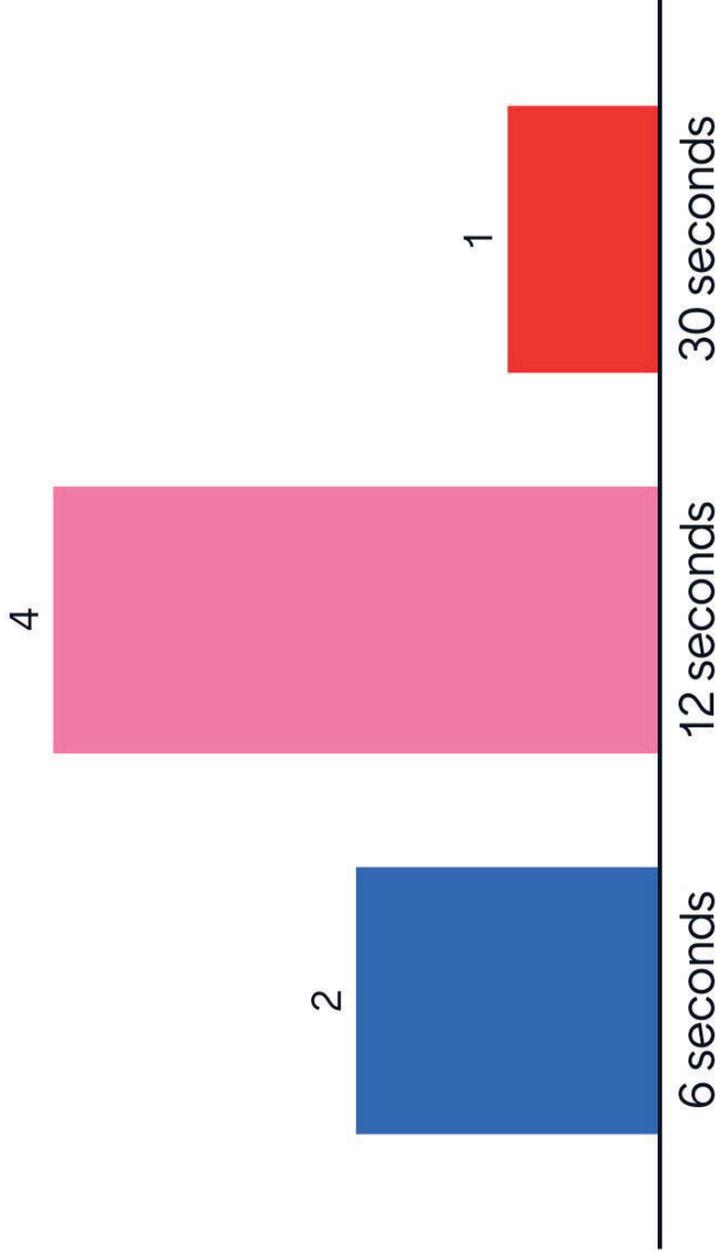
No

3



Maybe with restrictions

What is desired Transition Time?



Next Steps

Develop draft sign standards based on feedback
Bring back to July EDA meeting for review





Any Questions?

